

EARLY  
AMERICAN  
ORATIONS

1760-1824









# EARLY AMERICAN ORATIONS

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Wordsworth's Shorter Poems.

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EARLY  
AMERICAN ORATIONS

1760-1824

EDITED WITH AN INTRODUCTION AND NOTES

BY

LOUIE R. HELLER

INSTRUCTOR IN ENGLISH IN THE DE WITT CLINTON  
HIGH SCHOOL, NEW YORK CITY

New York

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## PREFACE

THIS preface is scarcely necessary to the present volume ; yet I cannot let the book go out into the world without acknowledging the kind and constant courtesy of my good friends at the Astor and Columbia Libraries, especially at the latter, which has been for many years a place of refuge from all perplexities.

For the inspiration to work for the young men of our land, I am indebted to the educational genius of the metropolis, and to the boys who have been my students and are still my friends. To them I would affectionately dedicate this volume, in the hope that it may give back to them a portion of the pleasure which association with them has given to me.

LOUIE R. HELLER.

DE WITT CLINTON HIGH SCHOOL,  
NEW YORK CITY.





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## INTRODUCTION

HISTORICAL records show that from the earliest times men have swayed the public mind by the power of spoken words. In bygone ages, when education, even of the rudest sort, was the property of priests and patricians exclusively, the populace had, in many countries, a voice in governmental and religious matters. There were no political pamphlets or reformatory tracts. If there had been, few could have read and fewer could have understood them; hence a Cicero harangued the people in the market-place, and an Isaiah gathered the worshippers in the courtyard of the Temple. In all countries, indeed, until within a comparatively few years, the public speaker, *the orator*, was a man of importance in his community. His usefulness was undeniable; his position assured. In the early days of our own national history the orator played a far more prominent part than he does to-day; not because the masses of the people were illiterate; but because there were, at first, no widely circulated pieces of printed matter; and, even when there were, they could not have taken the place of human utterance.

There is no doubt that, in periods of great national uprising, when the emotions of men play as strong a part in the affairs of

state as does their calmer reason, men listen to the impassioned speech of the orator with an attention they would scarcely ever devote to cold print; for there is, in the constitution of the human mind, a chord that vibrates in sympathy with the persuasive voice, and answers in response to the magnetic glance of a penetrating and compelling eye. What would, in print, seem exuberant fancy, appears none too highly colored when spoken; and what would seem cold and unimpressive when read, often gains warmth and life from a well-modulated voice and an engaging personality.

The study of oratory, *per se*, has almost died out in American schools and colleges; but enough remains to kindle anew an enthusiasm on the subject, at no distant date. The newspaper has, for the most part, usurped the place of the living voice in swaying popular opinion. Its wide circulation and cheapness bring it within reach of almost all our citizens. Moreover, we are living in times of comparative peace, when no great moral or political cataclysm is imminent; and, under existing circumstances, we are not apt to need, save in the pulpit, a great deal of the real art of the orator. Yet we do not know how soon we shall need it. The time may come when great industrial and economic questions will need to be settled in our Senate; when the struggles between capital and labor will require, on both sides, strong, persuasive speakers to avert catastrophes, when our national prosperity shall hang in the balance, — and we may be found unequal to the task. It is well, therefore, that, despite the apparent uselessness of powerful utterance at this time, we should consider carefully

the possible needs of the future ; and, by studying the monuments of the past, learn what we may ourselves put to practical use, or transmit as a heritage to those who shall come after us.

It is not only in politics, however, that the change has come. In the practice of the law, the multiplicity of cases to be considered, and the necessarily short allowance of time for each, has made the *brief* system supersede the system of extended pleas to the court. Hence, many of our successful lawyers are not especially well trained or persuasive speakers.

The orations to be considered in this volume extend over a period of about sixty-five years, and are varied in character as in theme. Many of them will seem to us to be somewhat flrid ; but we must not take them apart from the setting of their own time. These are but types, and form a small numerical proportion of the vast number of really good speeches of their epoch. The speakers were, almost all, men of breadth and culture, — graduates of colleges, classical scholars, and deep thinkers. Moreover, they were living under entirely new conditions. Their inborn love of liberty, derived from generations of free men, was supplemented by the life on a new continent where they were untrammelled by traditions. The future, vast as the unexplored continent beyond the Alleghanies, was calling to them, alluring them by its novelty and its dangers. They were young men, with the naturally warm blood of their youth roused to fever-heat by the strenuous life of their time. They were still “more straining on, for plucking back” ; and, the more Britain opposed and threatened, the

more difficulties that beset their way, the stronger and more intensely did their patriotism burn.

The period under consideration marks a new development in the history of nations. It was unexampled ; and the success of the American colonies gave the impulse to other peoples to shake off the tyranny of kings. As a new period its influence was felt, its spirit reflected, in other countries, — always varying, however, with the dominant characteristics of the race which felt and showed it. It is not within the scope of the present work to discuss the influence of this period and its people on foreign communities ; but rather to try to show the student that what is sometimes thought to be somewhat “flowery” and “grandiloquent,” was in reality the expression of genuine feeling, — the unstudied and spontaneous utterance of youthful vigor and a passionate sense of outraged justice. The tone of these speeches and the words employed by the speakers are traceable to various causes, chiefly these : the preponderance of classic learning, the influence of which it would be almost impossible to overrate, the careful study of works of English literature, such as Shakespeare, Milton, and Addison, and, above all, the then prevailing study of the Bible, which served as inspiration for many of the students of the period, especially in Puritan New England, where a truly devout spirit governed the entire community, and infused itself into the studies of home, school, and college.

To-day we should not, perhaps, find it advisable to imitate exactly the style of these records of our past ; but they stand to us as monuments of a tremendous struggle in a sacred cause.

They mark the first stage in our Revolution, — the “words before blows,” the parley before the onslaught ; they voice the mingled sentiments with which the revolutionary patriots realized the inevitable conditions of their safety ; they contain the exhortation of the prophet, the faith of the patriot, and the fortitude of the martyr ; they express the whole range of human emotion, in joy, in fear, in sorrow, and in exaltation. But they are more than this : they are sound expositions of causes and conditions ; they are, with all their fire, the logical utterance of trained thinkers, and, as such, are worthy of serious study. Still, it must be borne in mind that these were *orations* ; and that they were intended to be listened to, not read coldly, as we must read them now. This will aid us in a just estimate of their worth.

It is well for us to know at least a few of the literary and political monuments of our national youth. It is advisable that we should try to follow the train of thought which led to the establishment of our Union ; for the fundamental truths which were the basis for the statements of Otis and Adams, of Lee and Hamilton, are truths for our own consideration ; and certain problems of the early days of the republic are still, in some degree at least, unsolved. As for the eulogies and material, such as the speech of Clay at Lafayette’s introduction to the Senate, — America still produces heroes whom she is called upon to honor and to mourn, she still entertains distinguished foreigners, and, doubtless, will continue to do so ; and we cannot forecast to whose lot it will fall to welcome the illustrious personage or to speak the last solemn words of affection

and respect over the heroic dead. To the possible Morrises, Clays, and Amesess of the future, then, these records will be a valuable study ; and to the prospective auditor they will furnish a desirable standard by which to measure the achievement of his contemporaries.



## LIST OF BOOKS

These will furnish material to students, especially as to biography and constitutional history. The list is by no means complete. It is given to suggest the *line* of reading, — not all that can be read.

Wells's Life of Samuel Adams.

Sparks's Life of Washington.

Autobiography of John Adams.

Ford's Works of Jefferson.

Force's American Archives.

Wirt's Life of Patrick Henry.

Trial of Aaron Burr (Causes Célèbres Series).

Josiah Quincy's Reports (Mass. Law Reports, 1760-1772).

Schouler's History of the United States. Vol. I.

Fiske's Critical Period of American History.

Old South Historical Studies (leaflets).

Justin Winsor's History of the United States.

Webster's Oration on Adams and Jefferson.

Collected Orations and Eulogies on Hamilton.

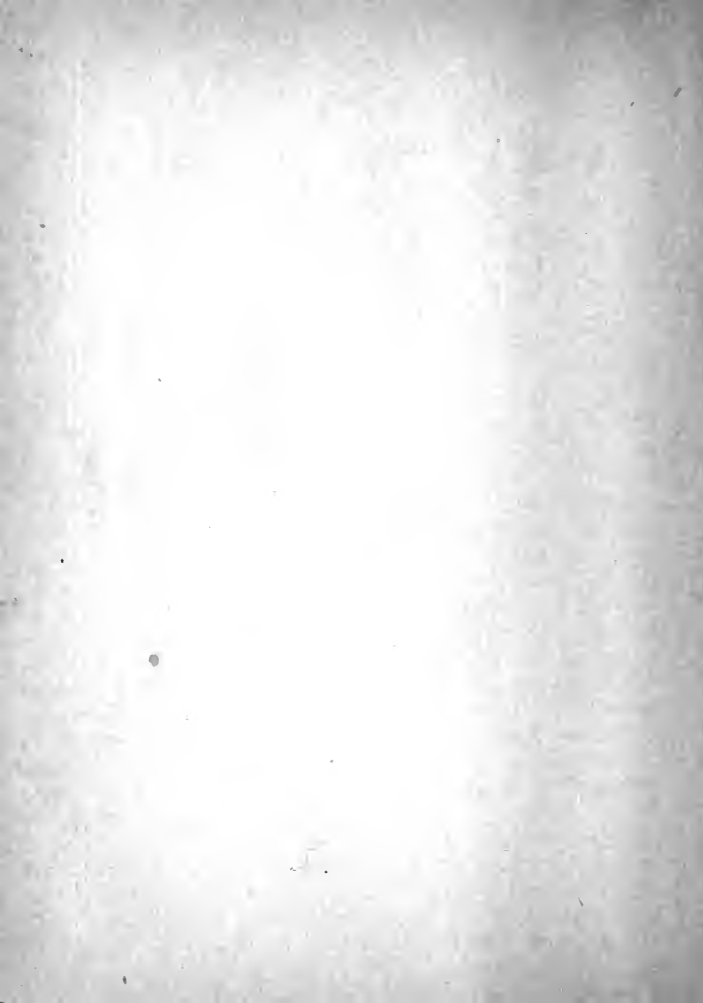
Alexander Hamilton's Correspondence.

CHRONOLOGICAL TABLE<sup>1</sup>

DATE	AMERICA	GREAT BRITAIN	FRANCE	SOUTHERN AND EASTERN EUROPE, ETC.
1760		Accession of George III.		Catharine II. of Russia
1762		War with Spain. Bute's ministry		
1765	Stamp Act passed	Rockingham's ministry		Clive's second governorship in India
1770	Boston Massacre	Lord North's ministry	Dauphin married to Marie Antoinette	
1774	Boston Port Bill		Death of Louis XV.	Hastings, governor of India
1775	Battles of Lexington, Bunker Hill	Plans for conciliation with America rejected		
1776	Washington in command			
1776	Declaration of Independence			
1778		Death of Earl of Chatham	French alliance with America	War of Bavarian succession
1781	Cornwallis's surrender	Fall of North's ministry		
1783	Treaty of Paris	Ministry of Pitt		
1789	Washington made President		Beginnings of revolution	

1791	First English ambassador received	Representative government for Canada	Louis XVI. accepts constitution	
1792	National bank established	Trouble with Ireland	Storming of Tuileries	
1793	Washington's proclamation of neutrality	War declared by France	Execution of Louis XVI. and family	
1797	Inauguration of Adams	England alone in war with France	Napoleon's passage of Alps	Frederick Wm. III., Prussia
1799	Death of Washington		Close of Directory	Death of Paul I. (son Cath. II.)
1801	Jefferson inaugurated	Catholic Emancipation Bill rejected	Napoleon's peace with middle Europe	
1803	Louisiana Purchase	War with Napoleon	1803-4. Napoleon's empire	
1807	Trial of Aaron Burr	Abolition of slavery	Napoleon's peace with Russia and Germany	
1812	Fulton's steamboat	Wellington's retreat from Buryos	Napoleon's invasion of Russia	Burning and retreat from Moscow
1814	Peace with England	Stephenson invents steam engine	Napoleon at Elba	
1815	Battle of New Orleans	Treaty of Vienna	Battle of Waterloo	U.S. Colombia
1820	Missouri Compromise Bill	Accession of George IV.	Napoleon at St. Helena (died 1821)	(S.A.) independent
1823	Monroe Doctrine announced in President's message		Louis XVIII. ruling in France	Mexico a republic

<sup>1</sup> This table is intended to be merely suggestive, not exhaustive.



# EARLY AMERICAN ORATIONS

1760-1824

## JAMES OTIS

1725-1783

JAMES OTIS was one of the characteristically free and fearless sons of the state of Massachusetts. Neither his years at Harvard nor his legal studies in the period succeeding his graduation could have given him the strength of purpose and sincerity of principle which seem to have been so marked. These, they may indeed have fostered ; but they could not create them, any more than sunshine and rain can create the life-principle in the seed whose growth they make possible. The official position which the young lawyer held (that of Advocate-General of the Crown) was, of course, one hostile to colonial interests. When the time came to choose between it and those interests, Otis, who had never before bestirred himself vigorously in politics, resigned his office on the ground that he would not prostitute his principles in support of an act of tyranny. It was a bold step — one taken with a clear comprehension of all it involved ; but he took it with the assurance that characterized the men of that time. He defended the people against the Crown and the ministry ; he upheld their rights in language clear, trenchant, and dignified, and withal so infused with patriotic zeal that John Adams spoke of him as a “flame of fire.” An accident clouded his keen intellect in later years, so that his country lost much that he might have

given her ; but for what he achieved in the cause of freedom we count James Otis among our glorious dead.

The subjoined fragment of a long speech is among the few trifling pieces left to us, owing to the destruction, by fire, of Otis's papers. It may be found in Adams's diary of 1761, where it is reported and commented on. It is typical of the spirit and utterance of its time ; and for its smooth yet powerful language is worthy to be placed among the models of early American eloquence. It was a portion of the defence offered on behalf of the citizens of Boston, protesting against the writs granted by George III. to his already too tyrannical officers in America.

## ON THE WRITS OF ASSISTANCE

FEBRUARY, 1761

May it please your Honours : I was desired by one of the court to look into the books,<sup>o</sup> and consider the question now before them concerning Writs of Assistance.<sup>o</sup> I have accordingly considered it, and now appear not only in obedience to your order, but likewise in behalf of the inhabitants of this town, who have presented another petition, and out of regard to the liberties of the subject. And I take this opportunity to declare that whether under a fee or not (for in such a cause as this I despise a fee) I will to my dying day oppose, with all the powers and faculties God has given me, all such instruments of slavery on the one hand and villainy on the other, as this Writ of Assistance is.

It appears to me the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law that ever was found in an English law-book. I must therefore beg your Honours' patience and attention to the whole range of an argument that may perhaps appear un-

common in many things, as well as to points of learning that are more remote and unusual, that the whole tendency of my design may the more easily be perceived, the conclusions better descend, and the force of them be better felt. I shall not think much of my pains in this cause, as I engaged in it from principle. I was solicited to argue this case as Advocate-General °; and, because I would not, I have been charged with desertion from my office. To this charge I can give a very sufficient answer. I renounced that office and I argue this cause from the same principle; and I argue it with the greater pleasure, as it is in favour of British liberty, at a time when we hear the greatest monarch upon earth declaring from his throne that he glories in the name of Briton and that the privileges of his people are dearer to him than the most valuable prerogatives of his crown; and as it is in opposition to a kind of power, the exercise of which in former periods of history cost one king of England his head and another his crown, I have taken more pains in this cause than I ever will take again, although my engaging in this and another popular cause has raised much resentment. But I think I can sincerely declare that I cheerfully submit myself to every odious name for conscience' sake; and from my soul I despise all those whose guilt, malice, or folly has made them my foes. Let the consequences be what they will, I am determined to proceed. The only principles of public conduct that are worthy of a gentleman or a man are to sacrifice estate, ease, health, and applause, and even life, to the sacred calls of his country. These manly sentiments, in private life, make good citizens; in public life, the patriot and the hero. I do not say that, when brought to the test, I shall be invincible. I pray God I may never be brought to the melancholy trial; but if ever I should, it will then be known how far I can reduce to practice principles which I know to be founded in truth. In the meantime I will proceed to the subject of this writ.

In the first place, may it please your honours, I will admit that writs of one kind may be legal; that is, special writs, directed to special officers, and to search certain houses, etc., specially set forth in the writ, may be granted by the Court of Exchequer at home, upon oath made before the Lord Treasurer by the person who asks it, that he suspects such goods to be concealed in those very places he desires to search. The Act of 14 Charles II.,<sup>o</sup> which Mr. Gridley<sup>o</sup> mentions, proves this. And in this light the writ appears like a warrant from a Justice of the Peace to search for stolen goods. Your honours will find in the old books concerning the office of a Justice of the Peace, precedents of general warrants to search suspected houses. But in more modern books you will find only special warrants to search such and such houses, specially named, in which the complainant has before sworn that he suspects his goods are concealed; and will find it adjudged that special warrants only are legal. In the same manner I rely on it, that the writ prayed for in this petition is illegal. It is a power that places the liberty of every man in the hands of every petty officer. I say, I admit that special Writs of Assistance, to search special places, may be granted to certain persons on oath; but I deny that the writ now prayed for can be granted, for I beg leave to make some observations on the writ itself, before I proceed to other Acts of Parliament. In the first place, the writ is universal, being directed "to all and singular justices, sheriffs, constables, and all other officers and subjects"; so that, in short, it is directed to every subject in the King's domains. Every one with this writ may be a tyrant; if this commission be legal, a tyrant in a legal manner, also, may control, imprison, or murder any one within the realm. In the next place, it is perpetual; there is no return. A man is accountable to no person for his doings. Every man may reign secure in his petty tyranny, and spread terror and desolation around him [until the trump of the Archangel shall



excite different emotions in his soul.<sup>o</sup>] In the third place, a person with this writ, in the daytime, may enter all houses, shops, etc., at will, and command all to assist him. Fourthly, by this writ not only deputies, etc., but even their menial servants, are allowed to lord it over us. [What is this but to have the curse of Canaan<sup>o</sup> with a witness on us : to be the servants of servants, the most despicable of God's creation<sup>o</sup>?] Now one of the most essential branches of English liberty is the freedom of one's house. A man's house is his castle; and whilst he is quiet, he is as well guarded as a prince in his castle.<sup>o</sup> This writ, if it should be declared legal, would totally annihilate this privilege. Custom-house officers may enter our houses when they please; we are commanded to permit their entry. Their menial servants may enter, may break locks, bars, and everything in their way; and whether they break through malice or revenge, no man, no court can inquire. Bare suspicion without oath is sufficient. This wanton exercise of this power is not a chimerical suggestion of a heated brain. I will mention some facts. Mr. Pew had one of these writs, and when Mr. Ware succeeded him, he endorsed this writ over to Mr. Ware, so that these writs are negotiable from one officer to another; and so your Honours have no opportunity of judging the persons to whom this vast power is delegated. Another instance is this : Mr. Justice Walley had called this same Mr. Ware before him, by a constable, for a breach of the Sabbath-day Acts, or that of profane swearing. As soon as he had finished, Mr. Ware asked him if he had done. He replied, "Yes." "Well then," said Mr. Ware, "I will show you a little of my power. I command you to permit me to search your house for uncustomed goods," and went on to search the house from garret to cellar; and then served the constable in the same manner<sup>o</sup>! But to show another absurdity in this writ, if it should be established, I insist upon it every person, by the 14 Charles II.,<sup>o</sup> has this power as well as the Custom-

house officers. The words are, "it shall be lawful for any person or persons authorized, etc." What a scene does this open ! Every man prompted by revenge, ill-humour or wantonness to inspect the inside of his neighbour's house, may get a writ of assistance. Others will ask it from self-defence ; one arbitrary exertion will provoke another, until society be involved in tumult and in blood !

Again, these writs are not returned. Writs, in their nature, are temporary things. When the purposes for which they are issued are answered, they exist no more ; but these live forever ; no one can be called to account. Thus reason and the constitution<sup>o</sup> are both against this writ. Let us see what authority there is for it. Not more than one instance can be found of it in all our law-books ; and that was in the zenith of arbitrary power, namely, in the reign of Charles II., when star-chamber<sup>o</sup> powers were pushed to extremity by some ignorant clerk of the exchequer. But had this writ been in any book whatever, it would have been illegal. All precedents are under the control of the principles of law. Lord Talbot<sup>o</sup> says it is better to observe these than any precedents, though in the House of Lords the last resort of the subject. No Acts of Parliament can establish such a writ ; though it should be made in the very words of the petition, it would be void. An act against the constitution is void. But this proves no more than what I before observed, that special writs may be granted *on oath and probable suspicion*. The act of 7 and 8 William III.<sup>o</sup> that the officers of the plantations shall have the same powers, etc., is confined to this sense ; that an officer should show probable ground ; should take his oath of it ; should do this before a magistrate ; and that such magistrate, if he think proper, should issue a special warrant to a constable to search the places. That of 6 Anne<sup>o</sup> can prove no more.

## ON THE STAMP ACT °

BEFORE THE GOVERNOR AND COUNCIL IN BOSTON, DECEMBER  
20, 1765

It is with great grief that I appear before your Excellency ° and Honors ° on this occasion. A wicked and unfeeling minister ° has caused a people, the most loyal and affectionate that ever king was blest with, to groan under the most insupportable oppression. But I think, Sir, that he now stands upon the brink of inevitable destruction; and trust that soon, very soon, he will feel the full weight of his injured sovereign's righteous indignation. I have no doubt, Sir, but that the loyal and dutiful representations of nine provinces, ° the cries and supplications of a distressed people, the united voice of all his Majesty's most loyal and affectionate British-American subjects, will obtain all that ample redress which they have a right to expect; and that ere long they will see their cruel and insidious enemies, both at home and abroad, put to shame and confusion.

My brother Adams has entered so largely into the validity of the act, that I shall not enlarge on that head. Indeed, what has been observed is sufficient to convince the most illiterate savage that the Parliament of England had no regard to the very first principles of their own liberties. °

Only the preamble of that oppressive act is enough to rouse the blood of every generous Briton. — "We your Majesty's subjects, the commons of Great Britain, etc., do give and grant" — What? Their own property? No! The treasure, the heart's blood of all your Majesty's dutiful and affectionate British-American subjects.

But the time is far spent. I will not tire your patience. It was once a fundamental maxim that every subject had the same right to his life, liberty, property, *and the law* that the

King had to his crown ; and 'tis yet, I venture to say, as much as a crown is worth, to deny the subject his law, which is his birthright.° 'Tis a first principle "that Majesty should not only shine in arms, but be armed with the laws." The *administration* of justice is necessary to the very existence of governments. Nothing can warrant the stopping the course of justice but the impossibility of holding courts, by reason of war, invasion, rebellion, or insurrection. This was law at a time when the whole island of Great Britain was divided into an infinite number of petty baronies and principalities ; as Germany is, at this day.° Insurrections then, and even invasions, put the whole nation into such confusion that justice could not have her equal course ; especially as the kings in ancient times frequently sat as judges.° But war has now become so much of a science, and gives so little disturbance to a nation engaged, that no war, foreign or domestic, is a sufficient reason for shutting up the courts. But, if it were, we are not in such a state, but far otherwise, the whole people being willing and demanding the full administration of justice. The shutting up of the courts is an abdication, a total dissolution of government. Whoever takes from the king his executive power, takes from the king his kingship. "The laws which forbid a man to pursue his right one way, ought to be understood with this equitable restriction, *that one finds judges to whom he may apply.*"°

I can't but observe that cruel and unheard-of neglect of that enemy to his king and country, the author of this Act, that, when all business, the very life and being of a commercial state, was to be carried on by the use of stamps, that wicked and execrable minister never paid the least regard to the miseries of this extensive continent, but suffered the time for the taking place of the Act to elapse months before a single stamp was received. Though this was a high piece of infidelity to the interest of his royal master, yet it makes it evident that it could never be intended, that if stamps were not to be had, it

should put a stop to all justice, which is, *ipse facto*,<sup>o</sup> a dissolution of society.

It is a strange kind of law which we hear advanced nowadays, that because one unpopular Act can't be carried into execution, that therefore there shall be an end of all law. We are not the first people who have risen to prevent the execution of a law ; the very people of England themselves rose in opposition to the famous Jew-bill,<sup>o</sup> and got that immediately repealed. And lawyers know that there are limits, beyond which, if parliaments go, their acts bind not.

The king is always presumed to be present in his courts, holding out the law to his subjects ; and when he shuts his courts, he unkins himself in the most essential point. Magna Charta and the other statutes are full, "that they will not defer, delay, nor deny any man justice" ; "that it shall not be commanded by the *Great Seal*,<sup>o</sup> or *in any other way*, to disturb or delay common right." The judges of England are "not to counsel, or assent to anything which may turn to the damage or disherison of the crown." They are sworn not to deny to any man common right, by the king's letters,<sup>o</sup> nor none other man's, nor for none other cause. Is not the dissolution of society a disherison<sup>o</sup> of the crown ? The "justices are commanded that they shall do even law and execution of right to all our subjects, rich and poor, without having regard to any person, without letting to do right for any letters or commandment which may come to them, or by any other cause."

## JOHN ADAMS

1735-1826

JOHN ADAMS was a scholar and a thinker ; he lacked, we are told, the emotional temperament which usually characterizes the persuasive public speaker. His journals, his notes, and such of his speeches as have come down to us form a number of ponderous volumes, all giving evidence of his clearness of logical thought. They do not, in cold type, appeal to us as strongly, from a purely emotional standpoint, as do the printed records of the utterances of Henry, Otis, and Warren. But, when we reflect that Adams and Quincy together pleaded for the life of Preston and his associates, we can understand how each by contrast showed the other's worth, and that he appeared together with Otis in the Stamp Act controversy is a parallel case.

Mr. Adams was a zealous patriot ; and, like many another man of his type, was little appreciated and often misunderstood by his political opponents. He was fiercely tenacious of his own opinions, yet he never allowed them to interfere with what he held to be his duty, as is witnessed by his defence of the British soldiers ; nor did the keenest political controversy ever diminish the quality of his affections, as is shown by his friendship with Jefferson, which lasted until the final hour of his life. Indeed, Jefferson's name was the last one on his lips, as he lay dying in the sunset of July 4, 1826.

ON BEHALF OF THE PEOPLE OF BOSTON, IN  
SUPPORT OF THE MEMORIAL OF DECEMBER  
18, 1765°

DECEMBER 20, 1765

Innumerable are the calamities which flow from an interruption of justice. Necessity requires that the doors of justice should ever be open to hear the complaints of the injured and oppressed.

The Stamp Act, I take it, is utterly void and of no binding force upon us ; for it is against our rights as men and our privileges as Englishmen.° An act made in defiance of the first principles of justice ; an act which rips up the foundation of the British Constitution, and makes void maxims of eighteen hundred years' standing.

Parliaments may err ; they are not infallible ; they have been refused to be submitted to.° An act making the king's proclamation to be law, the executive power adjudged absolutely void.° The Stamp Act was made where we are in no sense represented ; therefore is no more binding upon us than an Act which should oblige us to destroy one-half of our species.

There are certain principles unalterably fixed in nature. Convention and compact are the requisites to make any law obligatory. That the subject is not bound by acts, when he is not represented, is a sound maxim of the law, and not peculiar to the British Constitution, but a maxim of the ancient Roman° Law, "What concerns all shall be judged of by all."

The only reason of the power of the Parliament in England is because they are elected by the people, who, if their liberties are infringed, have a check at the next election. Have Americans any such check ? Have they any voice in deputation ? A Parliament of Great Britain can have no more right to tax these colonies than a Parliament of Paris.

This act has never been received from authority ; therefore, in a legal sense, we know nothing of it.

The necessities of business, the cries of the people, call aloud for justice. It has become impossible to execute this act, therefore, if it *were* binding, we are excused by every law, human and divine, from a compliance with it. The King's Writs are *ex debito Justitie*,<sup>o</sup> and cannot be denied the subject. And in Magna Charta it is said, "We deny no man justice, we delay no man justice."

[This simple but effective introduction was followed by the presentation of the subject by James Otis, given with other work of his in this volume. The closing words were spoken by Jeremy Gridley, under whom Otis had studied law. — Ed.]



## JOSIAH QUINCY, JR.

1744-1775

THERE is a certain roundness of utterance which is characteristic of Quincy's writing and of some of his reported speeches. It is not modern, nor would its style be considered in good taste in our time, when more guarded utterance is held to be consistent. Quincy must, however, be judged by his youth<sup>o</sup> and the standards of his time, together with the further consideration that he spoke and wrote at a period full of intense enthusiasm, when all America was at fever heat.

His pleas in support of the British soldiers, in 1770, in conjunction with Adams are a proof of his power and of his sincerity; for he staked his all to defend these men — not for a fee<sup>o</sup> — but from a sense of professional duty.

It is upon this very action which cost him so much, that we of a later generation base our estimate of his power; although there is no lack of ability and enthusiasm displayed in his contributions to the *Boston Gazette*, one of which is here given for the student's consideration. It is impossible to give the whole of his defence of the soldiers; but such of it as is here given, may lead the student to a further study.

Quincy was graduated from Harvard in 1763, and made from that time, despite the precarious state of his health, a success of his practice as a lawyer, and his loyalty as a patriot. His fame is secure while his country names him with Adams, Otis, and Warren — his contemporaries, his brothers in college and in American sentiment.

## LETTER — SIGNED HYPERION °

'Tis a political maxim that all government tends to despotism, and like the human frame brings at its birth the latent seed which finally shall destroy the constitution. This is a melancholy truth — but such is the lot of humanity. The art of an ingenious physician may, indeed, for a time illude the desperate poison, the skill of an able patriot may prolong, awhile, the political existence of a state ; but the constitution still hastens with increasing velocity to inevitable death. This truth is founded in nature : Experience has, in every age, verified this maxim of politics, and the approaching fate of our Mother Country shall but confirm the observation.

An insatiable appetite, an enormous thirst of despotic sway is a threatening symptom and sure presage of the fatal catastrophe of the constitutional system. A desire of absolute government prompts to the extension of legal authority, and states, like men, are precipitated headlong, by a boundless ambition, from the giddy precipice of power into the gulph° of ruin and destruction. Oh, Britain ! hold thy cruel hand, suspend the bloody sword an instant, and while, with an outstretched arm, thou art forcing from thy injured colonies one Right after another, while even now thou art making the desperate pass° which stabs the very vitals of thy children, reflect one single moment upon the unnatural, the brutal action ; but if the dismal scene of woe, thy sons and daughters weltering in their infant blood, touch not thy adamant heart, look back to distant ages, and see the rise and fall of ancient kingdoms° ! Behold their fate and learn thine own ! Such a retrospective view of grandeur and declension in former states will show the genuine origin of a nation's glory and magnificence, and mark the putrid source of its decline and final dissolution. Remember, Britain ! human nature is everywhere the same, and simi-

lar effects will always flow from the same cause.° An extensive commerce will produce opulence; riches create power; these united soon beget insatiable luxury; luxury, opulence, and power soon gender° fell oppression and a hideous offspring; the next immediate consequence, though varied according to the manners of the age and temper of the people, yet work certain death; political æconomy° is quick destroyed,° and sudden desolation shall swallow up the kingdom.

The powers of the human mind were never made for an unlimited jurisdiction over the extensive realm of science, neither was the sceptre of civil society formed for arbitrary and universal empire. The political, like the animal body is in the best health, while the original constitution is kept pure and undebauched. But despotism has been the alluring syren,° the enticing sorceress of the most flourishing nations, whose histories are unrolled in the annals of fame. The boundless power of Rome was her mortal disease. Rome trod the path that leads up to the high and lofty tower of dominion: she tumbled headlong from the giddy elevation. Britain now totters on the same dreadful precipice! The British flag and Roman standard flourished in the days of *public virtue*.° The *one* was disgraced and trampled under foot, when vice and tyranny reared their execrable heads, the *other* shall surely kiss the dust with like infamy. But, methinks, I hear my injured countrymen exclaim . . . What comfort doth this voice of prophecy afford? To know the destined wrath° of an avenging God shall blast the head of Britain; to see our mother's honours kiss the dust, her children, too, become the slaves of miscreant lordlings, to bear the galling yoke and cumberous load of merciless oppressors, doth rather add a tenfold pang to the keen anguish of our heart's distress. We! the sons of glorious Sires who nobly bled for civil and religious liberty in fame's immortal field, who dauntless fought with many a crimson wound the cause of freedom, and with many a blushing honour,

god-like, won the victory of the day, we and our children must become the ignominious slaves of haughty, cruel, and oppressive masters! And that Britain, at some future period, shall receive the full reward of all her crimes, her aggravated guilt and her abhorred oppressions is now the only word of peace and consolation! Think not, my countrymen! I meant to soothe you into peace, or lull your fears of tyranny asleep; too well I know the loss of Liberty, the spectre of departed freedom, the terrors of approaching bondage will haunt you day and night, and harrow up your souls. No consolation can I whisper to my fellow-slaves and countrymen: no lamp of hope and pleasing expectation can I hold up to light our feet in this dark night of deep distress and woe. Our fathers sacrificed their blood—they died freemen—they purchased Liberty with death—they left the legacy of freedom to their offspring. We, their sons, shall leave a *royal*° gift of bondage to our sons and daughters. Think you not, my brother-slaves, *our children will arise and call us blessed*°?—The valour and the blood of our forefathers purchased their freedom. The purple current of our noble ancestors still swells our veins—but oh the *British Virtue's* fled!—the *ethereal spark* which fired our fathers' blood is quite extinct°!—the flames of patriotism blaze no more! Hence then all consolation!—away!—

“Let no man speak of comfort°;  
 Let's talk of graves and worms and epitaphs,  
 Make dust our paper, and with rainy eyes  
 Write sorrow on the bosom of the earth!  
 Let's chuse° executors, and talk of wills!  
 And yet not so—for what can we bequeath  
 Save our deposèd bodies to the ground?  
 Our lands, our lives, and all are Britain's,  
 And nothing can we call our own, but Death;  
 And that small model° of the barren Earth  
 Which serves as paste and cover to our bones!”

## IN DEFENCE OF THE BRITISH SOLDIERS

1770

*Your honours and you, gentlemen of the jury: . . .* Permit me to remind you of the importance of this trial, as it relates to the prisoners. It is for their lives! If we consider the number of persons now on trial, joined with many other circumstances which might be mentioned, it is by far the most important this country ever saw.<sup>o</sup> Remember the ties you are under to the prisoners, and even to yourselves. The eyes of all are upon you. Patience in hearing this cause is an essential requisite; candor and caution are no less essential. It is tedious and painful to attend so lengthily a trial; but remember the time which has been taken up by the crown in the opening. By every bond of humanity and justice, we claim equal indulgence; nay, it is of high importance to your country, that nothing should appear on this trial to impeach our justice or stain our humanity. And here, let me remind you of a notion which has certainly been too prevalent, and guard you against its baneful influences. An opinion has been entertained by many among us, that the life of a soldier was of very little value; of much less value than others of the community. The law, gentlemen, knows no such distinction; the life of a soldier is viewed by the equal eye of the law, as estimable as the life of any other citizen. I cannot any other way account for what I mention, but by supposing that the indigence and poverty of a soldier—the toils of his life—the severity of discipline to which he is exposed—the precarious tenure by which he is generally thought to hold his life, in the summary decisions of a court-martial, have conspired to propagate a sentiment of this kind; but a little attention to the human heart will dissipate this notion. The soldier takes his choice, like all others, of his course of life. He has an

equal right, with you or me, so to do. It is best we should not all think alike. Habit makes all things agreeable. What at first was irksome, soon becomes pleasing. But does experience teach that misery begets in general an hatred of life? By no means; we all reluct<sup>o</sup> at death; we long for one short space more; we grasp, with anxious solicitude, even after a wretched existence. God and nature have<sup>o</sup> implanted this love of life. Expel, therefore, from your breasts, an opinion so unwarrantable by any law, human or divine; let not anything so injurious to the prisoners, who value life as much as you; let not anything so repugnant to all justice have influence in this trial. The reputation of the country depends much on your conduct, gentlemen; and may I not add, justice calls aloud for candor in hearing, and impartiality in deciding this cause, which has, perhaps, too much engrossed our affections<sup>o</sup>; and, — I speak for one, — too much excited our passions. The law by which the prisoners are to be tried, is a law of mercy, — a law applying to us all — a law, Judge Blackstone will tell us, “founded in principles that are permanent, uniform, and universal, always conformable to the feelings of humanity and the indelible rights of mankind.” How ought we all, who are to bear a part in this day, to aim at a strict adherence to the principles of this law — how ought we all to aim at utterly eradicating every undue bias of the judgment — a bias subversive of all justice and humanity.

Another opinion equally foreign to truth and law has been adopted by many. It has been thought that no possible case could happen in which a soldier could fire, without the aid of a civil magistrate. This is a great mistake — a very unhappy mistake, indeed! — one, I am afraid, that had its influence on the fatal night which we all lament.<sup>o</sup> The law, as to the present point, puts citizen and soldier under equal restraint. What will justify and mitigate the action of the one, will do the same to the other. Let us bear this invariably in mind, in examining the evidence. But before we proceed to this examination, let us

take a transient view of some occurrences preceding and subsequent to the melancholy fifth of March.<sup>o</sup> About some five or six years ago, it is well known, certain measures were adopted by the British parliament, which gave a general alarm to this continent. Measures were alternately<sup>o</sup> taken, in Great Britain, that awakened jealousy, resentment, fortitude, and vigilance. Affairs continued long fluctuating. A sentiment universally prevailed that our dearest rights were invaded. It is not our business here to inquire touching these delicate points. These are concerns,<sup>o</sup> which, however interesting or important in themselves, we must keep far away from us when in a court of law. It poisons justice, when politics tincture its current.<sup>o</sup> I need not inform you how the tide rose, as we were advancing towards the present times. The general attention became more and more roused—people became more alike in opinion and practice. A vast majority thought all that was dear was at stake—sentiments of liberty, property, ignominious bondage,—all conspire<sup>o</sup> to increase the ferment. At this period the troops land.<sup>o</sup> Let us here pause and view<sup>o</sup> the citizen and soldier. The causes of grievances being thus spread far and wide, the inhabitants viewed the soldiery as called in, foreign from their prime institution, to force obedience to acts which were, in general, deemed subversive of natural as well as constitutional freedom. With regard to the universal prevalence of ideas of this kind, it does not fall within our present plan to give you direct positive evidence. It would be too foreign to the present issue, though pertinent enough, when considered as a clue to springs and motives of action, and as an additional aid to form a just judgment in our present inquiry. You, gentlemen, who come from the body of the county,<sup>o</sup> are presumed to know these facts, if they are true; nay, their notoriety must be such, if I am not mistaken in my conjecture, that the justice of my observation on this matter must be certainly confirmed by your own experience. I presume not in this, or any other matter of fact,

to prescribe to you ; if these sentiments are wrong, they ought to have no influence ; if right, they ought certainly to have their due weight.

I say, gentlemen, — and appeal to you for the truth of what I say, — that many on this continent viewed their chains as already forged ; they saw fetters as prepared ; they beheld the soldiers as fastening and riveting for ages the shackles of their bondage. With the justness of these apprehensions, you and I have nothing to do in this place. Disquisitions of this sort are for the senate and the chamber of council — they are for statesmen and politicians, who take a latitude in thoughts and actions ; but we, gentlemen, are confined in our excursions, by the rigid rules of law.<sup>o</sup> Upon the real, actual existence of these apprehensions in the community, we may judge — they are facts falling properly within our cognizance — and hitherto<sup>o</sup> we may go, but no further. It is my duty, and I ought to impress it on your minds ; and you, gentlemen, ought to retain the impression. You are to determine on the facts coming to your knowledge. You are to think, judge, and act as jurymen, and not as statesmen. Matters being thus circumstanced, what might be expected ? No room was left for cordiality and friendship. Discontent was seated on almost every brow. Instead of that hospitality, that the soldier thought himself entitled to, scorn, contempt, and silent murmurs were his reception. Almost every countenance lowered with a discontented gloom, and scarce an eye but flashed indignant fire. Turn and contemplate the camp. Do we find a more favorable appearance ? The soldier had his feelings, his sentiments, and his characteristic passions also. The constitution of our government has provided a stimulus for his affection ; the pride of conscious virtue, the sense of valor, the point of honor. The law had taught him to think favorably of himself, had taught him to consider himself, as peculiarly appointed for the safeguard and defence of his country. He



had heard that he put not off the citizen when he entered the camp; but because he was a citizen and wished to continue so, he made himself for a while a soldier. How stinging it was to be stigmatized, as the instrument of tyranny and oppression! how exasperating to be viewed as aiding to enthrall his country! He felt his heart glow with an ardor, which he took for a love of liberty and his country, and had formed to himself no design fatal to its privilege. He recollected, no doubt, that he had heretofore exposed himself for its service. He had bared his bosom in defence of his native soil, and as yet felt the smart of wounds received in conflict for his king and country. Could that spirit which had braved the shafts of foreign battle, brook the keener wounds of civil contest? The arrows which now pierced him, pierced as deep and rankled more than those of former times. Is it rational to imagine much harmony could long subsist?

We must take human nature as we find it, and not vainly imagine that all things are to become new, at such a crisis.<sup>o</sup> There are an order of men in every commonwealth, who never reason, but always act from feelings. That their rights and liberties were filched away one after another, they had often been told. They had been taught by those whom they believed that the axe was laid low to the root of the tree, and one more stroke completed its fall. It was in vain to expect to silence or subdue these emotions by reasons, soothing, or dangers. A belief, that nothing could be worse than the calamities which seemed inevitable, had extended itself on all sides, and arguments drawn from such sources had little influence. Each day gave rise to new occurrences which increased animosities. Heart-burnings, heats, and bickerings became more and more extensive. Reciprocal insults soured the temper, mutual injuries embittered the passions. Can we wonder that when everything tended to some important action, the period so soon arrived? Will not our wonder be increased to

find the crisis no sooner taking place, when so many circumstances united to hasten its approach? To use an allusion somewhat homely, may we not wonder that the acid and the alkali did not sooner ferment °! A thought here imperceptibly forces itself on our minds, and we are led to be astonished that persons so discordant in opinion, so opposite in views, attachments, and connections should be stationed together. But here, gentlemen, we must stop. If we pursue this inquiry, at this time and in this place, we shall be in danger of doing great injustice. We shall get beyond our limits. The right of quartering troops in this province must be discussed at a different tribunal. ° The constitutional legality, the propriety, the expediency of their appointment, are questions of state, not to be determined, nor even agitated by us in this court. It is enough for us if the law takes notice of them ° when thus stationed; if it warrants their continuance; if it protects them in their quarters. They were sent here by that authority which our laws know; they were quartered here, as I take it, agreeable to an act of the British parliament; they were ordered here by your sovereign and mine.

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The pomp of funeral, ° the horrors of death have been so delineated, as to give a spring to our ideas, and to inspire a glow incompatible with sound, deliberative judgment. In this situation, every passion has alternately been predominant. They have, each in its turn, subsided in degree, and they have sometimes given place to despondence, grief, and sorrow. How careful should we be, that we do not mistake the impression of gloom and melancholy, for the dictates of reason and truth. How careful, lest borne away by a torrent of passion, we make shipwreck of conscience.

Perhaps you may be told, gentlemen, as I remember it was said, at the late trial, ° that passions were like the flux and

reflux of the sea—the highest tides always producing the lowest ebbs. But let it be noticed that the tide, in our political ocean, has yet never turned; certainly the current has never set toward the opposite quarter. However similes may illustrate, they never go for proof.<sup>o</sup> Though I believe that it will be found that if the tide of resentment has not risen of late, it has been because it had reached its summit. In the same mode of phraseology, if so homely an expression may be used, perhaps, as the seamen say, it has been high water slack<sup>o</sup>; but I am satisfied the current has not yet altered its course in favor of the prisoners at the bar. Many things yet exist sufficient to keep alive the glow of indignation. I have aimed at securing you against the catching flame. I have endeavored to discharge my duty in this respect. What success will follow those endeavors, depends on you, gentlemen. If being told of your danger will not produce caution, nothing will. If you are determined in opinion, it is in vain to say more; but if you are zealous inquirers after truth, if you are willing to hear with impartiality, to examine and judge for yourselves, enough has been said to apprize you of those avenues at which enemies of truth and justice are most likely to enter, and most easily to beset you.

## JOSEPH WARREN

1741-1775

JOSEPH WARREN is justly famed among Americans as the type of a man who can support his principles to the death. His is not the least illustrious name on Harvard's roll of her patriotic dead. He practised medicine in Boston from 1759 until his country's needs made him a soldier at Lexington in 1775.

The young physician espoused the cause of liberty earnestly and fearlessly. His two orations of March 5, 1772, and 1775 on the Boston Massacre are the groundwork for his fame as a public speaker. The second of these was delivered at a time when public feeling ran so high that his utterance was fraught with great danger to himself; hence it is the more frequently quoted. But the earlier oration is more forcible and less highly colored, and, on the whole, is more fairly valuable as the expression of a man who dared support his plea for freedom as Joseph Warren did, with ball and bayonet, on that memorable June 17, 1775, at Bunker Hill.

The fact that he died so young, and that, despite his youth, he had achieved a high place as professional man, patriot, and orator, lends to the name of Warren and to everything that suggests him a romantic interest such as invests the memory of young Nathan Hale, Yale's famous martyr to the cause of freedom.

Webster says, in his second Bunker Hill Oration, referring to Warren, that "Wheresoever among men a heart shall be found

that beats to the transports of patriotism and liberty, its aspiration shall be to claim kindred with his spirit."

## CONSTITUTIONAL LIBERTY AND ARBITRARY POWER

BOSTON, MARCH 5, 1772°

When we turn over the historic page, and trace the rise and fall of states and empires, the mighty revolutions which have so often varied the face of the world strike our minds with solemn surprise, and we are naturally led to endeavor to search out the causes of such astonishing changes.

That man is formed for social life is an observation which, upon our first inquiry, presents itself immediately to our view, and our reason approves that wise and generous principle which actuated the first founders of civil government, an institution which hath its origin in the weakness of individuals, and hath for its end the strength and security of all; and so long as the means of effecting this important end are thoroughly known and religiously attended to government is one of the richest blessings to mankind, and ought to be held in the highest veneration.

In young and new-formed communities the grand design of this institution is most generally understood and the most strictly guarded; the motives which urged to the social compact cannot be at once forgotten, and that equality which is remembered to have subsisted so lately among them prevents those who are clothed with authority from attempting to invade the freedom of their brethren; or, if such an attempt be made, it prevents the community from suffering the offender to go unpunished; every member feels it to be his interest, and knows it to be his duty to preserve inviolate the constitution on which the public safety depends, and he is equally ready to assist the

magistrate in the execution of the laws and the subject in defense of his right, and so long as this noble attachment to a constitution, founded on free and benevolent principles, exists in full vigor, in any state, that state must be flourishing and happy.

It was this noble attachment to a free Constitution ° which raised ancient Rome from the smallest beginnings to that bright summit of happiness and glory to which she arrived, and it was the loss of this which plunged her from that summit into the black gulf of infamy and slavery. It was this attachment which inspired her Senators with wisdom ; it was this which glowed in the breast of her heroes ; it was this which guarded her liberties and extended her dominions, gave peace at home, and commanded respect abroad, and when this decayed, her magistrates lost their reverence for justice and the laws, and degenerated into tyrants and oppressors ; her senators, forgetful of their dignity, and seduced by base corruption, betrayed their country ; her soldiers, regardless of their relation to the community, and urged only by the hopes of plunder and rapine, unfeelingly committed the most flagrant enormities ; and, hired to the trade of death, with relentless fury they perpetrated the most cruel murders, whereby the streets of Rome were drenched with her noblest blood. Thus the empress ° of the world lost her dominions abroad ; and her inhabitants, dissolute in their manners, at last became contented slaves, and she stands to-day the scorn and derision of nations, and a monument of this eternal truth, — that public happiness depends on a virtuous and unshaken attachment to a free Constitution.

It was this attachment to a Constitution, ° founded on free and benevolent principles, which inspired the first settlers of this country, — they saw with grief the daring outrages committed on the free Constitution of their native land, — they knew nothing but a civil war could, at any time, restore its pristine purity. So hard was it to resolve to imbrue their

hands in the blood of their brethren, that they chose rather to quit<sup>o</sup> their fair possessions and seek another habitation in a distant clime. When they came to this new world, which they fairly purchased of the Indian<sup>o</sup> natives, the only rightful proprietors, they cultivated the then barren soil by their incessant labor, and defended their dear-bought possession with the fortitude of the Christian and the bravery of the hero.

After various struggles, which, during the tyrannic reigns of the house of Stuart,<sup>o</sup> were constantly kept up between right and wrong, between liberty and slavery, the connection between Great Britain and this colony was settled in the reign of King William and Queen Mary by a compact, the conditions of which were expressed in a charter,<sup>o</sup> by which all the liberties and immunities of British subjects were confided to this province, as fully and as absolutely as they possibly could be by any human instrument which can be devised. And it is undeniably true that the greatest and most important right of a British subject is that he shall be governed by no laws but those to which he, either in person or by his representatives, hath given his consent; and this, I will venture to assert, is the great basis of British freedom; it is interwoven with the Constitution, and whenever this is lost, the Constitution must be destroyed.

The British Constitution, of which ours is a copy, is a happy compound of the three forms, under some of which all governments may be ranged; namely, monarchy, aristocracy, and democracy; of these three the British legislature is composed, and without the consent of each branch, nothing can carry with it the force of a law; but when a law is to be passed for raising a tax, that law can originate only in the democratic branch, which is the House of Commons in Britain and the House of Representatives here.<sup>o</sup> The reason is obvious: they and their constituents are to pay much the largest part of it; but as the aristocratic branch, which in Britain is the House of Lords and in this province the Council, are also to pay some part,

their consent is necessary ; and as the monarchic branch which in Britain is the King, and with us either the King in person or the Governor whom he shall be pleased to appoint in his stead, is supposed to have a just sense of his own interest, which is that of all the subjects in general, his consent is also necessary, and when the consent of these three branches is obtained, the taxation is most certainly legal.

Let us now allow ourselves a few moments to examine the late acts<sup>o</sup> of the British Parliament for taxing America. Let us with candor judge whether they are constitutionally binding upon us ; if they are, in the name of justice let us submit to them, without one murmuring word.

First, I would ask whether the members of the British House of Commons are the democracy of this province ? if they are, they are either the people of this province or are elected by the people of this province to represent them, and have, therefore, a constitutional right to originate a bill for taxing them ; it is most certain they are neither, and therefore nothing done by them can be said to be done by the democratic branch of our Constitution. I would next ask whether the lords who compose the aristocratic branch of the Legislature are *peers<sup>o</sup> of America*. I never heard it was (even in these extraordinary times) so much as pretended ; and if they are not, certainly no act of theirs can be said to be an act of the aristocratic branch of our Constitution. The power<sup>o</sup> of the monarchic branch we, with pleasure, acknowledge resides in the King, who may act either in person or by his representative ; and I freely confess that I can see no reason why a proclamation<sup>o</sup> for raising revenues in America, issued by the King's sole authority, would not be equally consistent with our own Constitution, and therefore equally binding upon us with the late acts of the British Parliament for taxing us ; for it is plain that if there is any validity in those acts, it must arise altogether from the monarchical branch of the Legislature ; and



I further think that it would be, at least, as equitable ; for I do not conceive it to be of the least importance to us by whom our property is taken away, so long as it is taken without our consent ; and I am very much at a loss to know by what figure of rhetoric the inhabitants of this province can be called free subjects, when they are obliged to obey implicitly such laws as are made for them by men three thousand miles off, whom they know not, and whom they never empowered to act for them, or how they can be said to have property, when a body of men over whom they have not the least control, and who are not in any way accountable to them, shall oblige them to deliver up part, or the whole of their substance, without even asking their consent ; and yet, whoever pretends that the late acts of the British Parliament for taxing America ought to be deemed binding upon us, must admit at once that we are absolute slaves, and have no property of our own ; or else that we may be freemen, and at the same time under the necessity of obeying the arbitrary command of those over whom we have no control or influence, and that we may have property of our own, which is entirely at the disposal of another. Such gross absurdities, I believe, will not be relished in this enlightened age, and it can be no matter of wonder that the people quickly perceived and seriously complained of the inroads which these acts must unavoidably make upon their liberty, and of the hazard to which their whole property is, by them, exposed ; for if they may be taxed without their consent, even in the smallest trifle,<sup>o</sup> they may also, without their consent, be deprived of everything they possess, although never so valuable, never so dear. Certainly it never entered the hearts of our ancestors that after so many dangers in this then desolate wilderness, their hard-earned property should be at the disposal of the British Parliament ; and as it was soon found that this taxation could not be supported by reason and argument, it seemed necessary that one act of oppression should be enforced by an-

other, and therefore contrary to our just rights as possessing, or at least having a just title to possess, all the liberties and immunities of British subjects, a standing army was established among us in time of peace; and evidently for the purpose of effecting that, which it was one principal design of the founders of the constitution to prevent when they declared a standing<sup>o</sup> army in a time of peace to be against law; namely, for the enforcement of obedience to acts which, upon fair examination, appeared to be unjust and unconstitutional.

The ruinous consequences of standing armies may be seen in the histories of Syracuse, Rome, and many other once flourishing states, some of which have now scarce a name! Their baneful influence is most suddenly felt, when they are placed in populous cities; for, by a corruption of morals, the public happiness is immediately affected; and that this is one of the effects of quartering troops in a populous city is a truth to which many a mourning parent, many a lost, despairing child in this metropolis, must bear a very melancholy testimony.<sup>o</sup> Soldiers are also taught to consider arms as the only arbiters by which every dispute is to be decided between contending states; they are instructed implicitly to obey their commanders, without inquiring into the justice of the cause they are engaged to support; hence it is, that they are ever to be dreaded as the ready engines of tyranny and oppression. And it is too observable that they are prone to introduce the same mode of decision in the disputes of individuals,<sup>o</sup> from thence have often arisen great animosities between them and the inhabitants, who, whilst in a naked, defenseless state, are frequently insulted and abused by an armed soldiery. And this will be more especially the case when the troops are informed that the intention of their being stationed in any city is to overawe the inhabitants. That this was the avowed design of stationing an armed force in this town is sufficiently known; and we, my fellow-citizens, have seen, we have felt the tragical effects. The fatal fifth of March,

1770, can never be forgotten. The horrors of that dreadful night are but too deeply impressed on our hearts. Language is too feeble to paint the emotions of our souls, when our streets were stained with the blood of our brethren, when our ears were wounded by the groans of the dying, and our eyes were tormented with the sight of the mangled bodies of the dead. When our alarmed imagination presented to our view our houses wrapt in flames, our children subjected to the barbarous caprice of a raging soldiery, our beauteous virgins exposed to all the insolence of unbridled passion, our virtuous wives, endeared to us by every tender tie, falling a sacrifice to worse than brutal violence, and perhaps like the famed Lucretia,<sup>o</sup> distracted with anguish and despair, ending their wretched lives by their own fair hands. When we beheld the authors of our distress parading in our streets, or drawn up in a regular *battalia*,<sup>o</sup> as though in a hostile city, our hearts beat to arms; we snatched our weapons, almost resolved by one decisive stroke to avenge the death of our slaughtered brethren, and to secure from future danger all that we held most dear; but propitious heaven forbade the bloody carnage and saved the threatened victims of our too keen resentment, not by their discipline, not by their regular array, — no, it was royal George's livery that proved their shield, — it was that which turned the pointed engines of destruction from their breasts. The thoughts of vengeance were soon buried in our inbred affection to Great Britain, and calm reason dictated a method of removing the troops, more mild than an immediate resource to the sword. With united efforts you urged the immediate departure of the troops from the town; you urged it with a resolution which insured success; you obtained your wishes, and the removal<sup>o</sup> of the troops was effected without one drop of their blood being shed by the inhabitants.

The immediate actors in the tragedy of that night were surrendered to justice. It is not mine to say how far they were

guilty. They have been tried by the country, and acquitted of murder.<sup>o</sup> And they are not to be again arraigned at an earthly bar; but surely the men who have promiscuously scattered death amidst the innocent inhabitants of a populous city ought to see well to it that they are prepared to stand at the bar of an Omniscient Judge! And all who contrived or encouraged the stationing of troops in this place, have reasons of eternal importance to reflect with deep contrition on their base designs, and humbly to repent of their base machinations.

The infatuation which hath seemed, for a number of years, to prevail in the British councils, with regard to us, is truly astonishing! What can be proposed by the repeated attacks made upon our freedom, I really cannot surmise, even leaving justice and humanity out of the question. I do not know one single advantage which can arise to the British nation from our being enslaved: — I know not of any gains which can be wrung from us by oppression, which they may not obtain from us by our own consent, in the smooth channel of commerce; we wish the wealth and prosperity of Britain; we contribute largely to both. Doth what we contribute lose all its value, because it is done voluntarily? The amazing increase of riches to Britain, the great rise of the value of her lands, the flourishing state of her navy, are striking proofs of the advantages derived to<sup>o</sup> her from her commerce with the Colonies; and it is our earnest desire that she may still continue to enjoy the same emoluments, until her streets are paved with American gold; only let us have the pleasure of calling it our own, while it is in our hands; but this, it seems, is too great a favor — we are to be governed by the absolute command of others; our property is to be taken away without our consent; if we complain, our complaints are treated with contempt; if we assert our rights, that assertion is deemed insolence; if we humbly offer to submit the matter to the impartial decision of reason, the sword is judged the most proper argument to silence our murmurs! But this

cannot long be the case — surely the British nation will not suffer the reputation of their justice and their honor to be thus sported away by a capricious ministry ; no, they will in a short time open their eyes to their true interest ; they nourish in their breasts a noble love of liberty ; they hold her dear, and they know that all who have once possessed her charms had rather die than suffer her to be torn from their embraces ; they are also sensible that Britain is so deeply interested in the prosperity of the Colonies that she must eventually feel every wound given to their freedom ; they cannot be ignorant that more dependence may be placed on the affections of a brother than on the forced service of a slave ; they must approve your efforts for the preservation of your rights ; from a sympathy of soul they must pray for your success ; and I doubt not but they will ere long exert themselves effectually to redress your grievances. Even the dissolute reign of Charles II., when the House of Commons impeached the Earl of Clarendon of high treason, the first article on which they founded their accusation was that “ he had designed a standing army to be raised, and to govern the kingdom thereby.” And the eighth article was that “ he had introduced an arbitrary government into his Majesty’s plantation ”<sup>o</sup> — a terrifying example to those who are now forging chains for this country !

You have, my friends and countrymen, frustrated the designs of your enemies by your unanimity and fortitude ; it was your union and determined spirit which expelled those troops who polluted your streets with innocent blood. You have appointed this anniversary as a standard memorial of the bloody consequences of placing an armed force in a populous force, and of your deliverance from the dangers which then seemed to hang over your heads ; I am confident that you never will betray the least want of spirit when called upon to guard your freedom. None but they who set a just value upon the blessings of liberty are worthy to enjoy her — your

illustrious fathers were her zealous votaries — when the blasting frowns of tyranny drove her from public view, they clasped her in their arms, they cherished her in their generous bosoms, they brought her safe over the rough ocean, and fixed her seat in this then dreary wilderness; they nursed her infant age with the most tender care; for her sake they patiently bore the severest hardships; for her support they underwent the most rugged toils; in her defence they boldly encountered the most alarming dangers; neither the ravenous beast that ranged the woods for prey, nor the more furious savages of the wilderness, could damp their ardor. Whilst with one hand they broke the stubborn glebe, with the other they grasped their weapons, ever ready to protect her from danger.<sup>o</sup> No sacrifice, not even their own blood, was esteemed too rich a libation for her altar! God prospered their valor; they preserved her brilliancy unsullied; they enjoyed her whilst they lived; and, dying, bequeathed<sup>o</sup> the dear inheritance to your care. And as they left you this glorious legacy, they have undoubtedly transmitted to you some portion of their noble spirit, to inspire you with virtue to merit her and courage to preserve her; you surely cannot, with such examples before your eyes, as every page of the history of this country affords, suffer your liberties to be ravished from you by lawless force, or cajoled away by flattery and fraud.

The voice of your fathers' blood cries to you from the ground, My sons, scorn to be slaves! In vain we met the frowns of tyrants — in vain we crossed the boisterous ocean, found a new world, and prepared it for the happy residence of liberty — in vain we toiled — in vain we fought — we bled in vain, if you, our offspring, want valor to repel the assaults of her invaders! Stain not the glory of your worthy ancestors, but like them resolve never to part with your birthright; be wise in your deliberations, and determined in your exertions for the preservation of your liberties. Follow not the dictates of passion, but enlist yourselves under the sacred banner of rea-

son ; use every method in your power to secure your rights ; at least prevent the curses of posterity from being heaped upon your memories.

If you, with united zeal and fortitude, oppose the torrent of oppression ; if you feel the true fire of patriotism burning in your breasts ; if you, from your souls, despise the most gaudy dress that slavery can wear ; if you really prefer the lonely cottage (whilst blest with liberty) to gilded palaces, surrounded with the ensigns of slavery, you may have the fullest assurance that tyranny, with her whole accursed train, will hide their hideous heads in confusion, shame, and despair ; if you perform your part, you must have the strongest confidence that the same Almighty Being who protected your pious and venerable forefathers, who enabled them to turn a barren wilderness into a fruitful field, who so often made bare his arm for their salvation, will still be mindful of you, their offspring.

May this Almighty Being graciously preside in all our councils ! May He direct us to such measures as He himself shall approve and be pleased to bless ! May we ever be a people favored of God ! May our land be a land of liberty, the seat of virtue, the asylum of the oppressed, a name and a praise in the whole earth, until the last shock of time shall bury the empires of the world in one common undistinguished ruin !

# JOHN HANCOCK

1737-1793

UNLIKE many of his contemporaries, John Hancock was not, and had never been, connected with the so-called "learned professions." He is a type of the college-bred American merchant. A Harvard graduate, a man of vast wealth and of important business connections, we find him referred to, when he was twenty-five years old, as modest, generous, just, and deservedly popular; for like his contemporaries, he had much to lose by adhering to the cause of the people; but he was always consistently patriotic. Mr. Hancock was one of those whose vessels suffered under the custom-house tyranny of 1765-1770; and when the offences became violent on both sides, and terminated in the Boston Massacre of 1770, he was one of the citizens who urged upon the Governor the removal of the obnoxious troops. It seems fitting, therefore, that he should have made this affray the theme of his discourse; but it appears somewhat strange that this same speech should be the only authentic record of public utterance of its kind on the part of one, seemingly so fitted to stir the spirits of men with the "singular dignity and grace" of his words.

## THE BOSTON MASSACRE

1774

Men, Brethren, Fathers, and Fellow-Countrymen: The attentive gravity, the venerable appearance of this crowded audi-



ance ; the dignity which I behold in the countenances of so many in this vast assembly ; the solemnity of the occasion on which we have met together, joined to a consideration of the part I am to take in the important business of this day, fill me with an awe hitherto unknown, and heighten the sense which I have ever had of my unworthiness to fill this sacred desk.<sup>o</sup> But, allured by the call of some of my respected fellow-citizens, with whose request it is always my greatest pleasure to comply, I almost forgot my want of ability to perform what they required. In this situation, I find my only support in assuring myself that a generous people will not severely censure what they know was well intended, though its want of merit should prevent their being able to applaud it. And I pray that my sincere attachment to the interest of my country, and the hearty detestation of every design formed against her liberties, may be admitted as some apology for my appearance in this place.

I have always, from my earliest youth, rejoiced in the felicity of my fellow-men ; and have ever considered it as the indispensable duty of every member of society to promote, as far as in him lies, the prosperity of every individual, but more especially of the community to which he belongs ; and also as a faithful subject of the State, to use his utmost endeavors to detect, and having detected, strenuously to oppose every traitorous plot which its enemies may devise for its destruction. Security to the persons and properties of the governed is so obviously the design and end of civil government, that to attempt a logical proof of it, would be like burning tapers at noonday to assist the sun in enlightening the world ; and it cannot be either virtuous or honorable to attempt to support a government of which this is not the great and principal basis ; and it is to the last degree vicious and infamous to attempt to support a government which manifestly tends to render the persons and properties of the governed insecure. Some

boast of being friends to government<sup>o</sup> ; I am a friend to righteous government, to a government founded upon the principles of reason and justice ; but I glory in publicly avowing my eternal enmity to tyranny. Is the present system, which the British administration have adopted for the government of the colonies, a righteous government, or is it tyranny ? Here suffer me to ask (and would to Heaven there could be an answer) what tenderness, what regard, respect, or consideration has Great Britain shown, in their<sup>o</sup> late transactions, for the security of the persons or properties of the inhabitants of the colonies ? Or rather what have they omitted doing to destroy that security ? They have declared that they have ever had, and of right ought ever to have, full power to make laws of sufficient validity to bind the colonies in all cases whatever. They have exercised this pretended right by imposing a tax on us without our consent ; and lest we should show some reluctance at parting with our property, her<sup>o</sup> fleets and armies are sent to enforce their mad pretensions. The town of Boston, ever faithful to the British Crown, has been invested by a British fleet : the troops of George III. have crossed the wide Atlantic, not to engage an enemy, but to assist a band of traitors in trampling on the rights and liberties of his most loyal subjects in America—those rights and liberties which, as a father, he ought ever to regard, and as a King, he is bound, in honor, to defend from violation, even at the risk of his own life.

Let not the history of the illustrious house of Brunswick inform posterity, that a King, descended from that glorious<sup>o</sup> monarch, George II., once sent his British subjects to conquer and enslave his subjects in America. But be perpetual infamy entailed upon that villain<sup>o</sup> who dared to advise his master to such execrable measures ; for it was easy to foresee the consequences which so naturally followed upon sending troops into America, to enforce obedience to acts of the British Parliament,

which neither God nor man ever empowered them to make. It was reasonable to expect that troops, who knew the errand they were sent upon, would treat the people whom they were to subjugate with a cruelty and haughtiness which too often buries the honorable character of a soldier in the disgraceful name of an unfeeling ruffian. The troops, upon their first arrival, took possession of our senate-house,<sup>o</sup> and pointed their cannon against the judgment-hall, and even continued them there whilst the supreme court of judicature for this province was actually sitting there to decide upon the lives and fortunes of the King's subjects. Our streets nightly resounded with the noise of riot and debauchery,<sup>o</sup> our peaceful citizens were hourly exposed to shameful insults, and often felt the effects of their violence and outrage. But this was not all : as though they thought it not enough to violate our civil rights, they endeavored to deprive us of the enjoyment of our religious privileges ; to vitiate our morals, and thereby render us worthy of destruction. Hence the rude din of arms which broke in upon your solemn devotions in your temples, on that day hallowed by Heaven, and set apart by God himself for His peculiar worship. Hence, impious oaths and blasphemies<sup>o</sup> so often tortured your unaccustomed ears. Hence, all the arts which idleness and luxury could invent were used to betray our youth of one sex into extravagance and effeminacy, and of the other, to infamy and ruin, and did they not succeed but too well ? Did not a reverence for religion sensibly decay ? Did not our infants almost learn to lisp out curses before they knew their horrid import ? Did not our youth forget they were Americans, and regardless of the admonitions of the wise and aged servilely copy from their tyrants those vices which finally must overthrow the empire of Great Britain ? And must I be compelled to acknowledge that even the noblest, fairest part of all the lower creation did not entirely escape the cursed snare ? When virtue has once erected her throne in the female breast, it is upon so

solid a basis that nothing is able to expel the heavenly inhabitant. But have there not been some, few indeed, I hope, whose youth and inexperience have rendered them a prey to wretches whom, upon the least reflection, they would have despised and hated as foes to God and their country? I fear there have been some such unhappy instances, or why have I seen an honest father clothed with shame; or why a virtuous mother drowned in tears?

But I forbear, and come reluctantly to that dismal<sup>o</sup> night when in such quick succession we felt the extremes of grief, astonishment, and rage; when Heaven in anger, for a dreadful moment, suffered hell to take the reins; when Satan with his chosen band opened the sluices of New England's blood, and sacrilegiously polluted our land with the dead bodies of her guiltless sons! Let this sad tale of death never be told without a tear; let not the heaving bosom cease to burn with manly indignation at the barbarous story, through the long tracts of future time: let every parent tell the shameful story to his listening children until tears of pity glisten in their eyes, and boiling passions shake their tender frames; and whilst the anniversary of that ill-fated night is kept a jubilee in the grim courts of pandemonium, let all America join in one common prayer to Heaven, that the inhuman, unprovoked murders of the fifth of March, 1770, planned by Hillsborough<sup>o</sup> and a knot of treacherous knaves in Boston, and executed by the cruel hand of Preston<sup>o</sup> and his sanguinary coadjutors, may ever stand on history without a parallel. But what, my countrymen, withheld the ready arm of vengeance from executing instant justice on the vile assassins<sup>o</sup>? Perhaps you feared promiscuous carnage might ensue, and that the innocent might share the fate of those who had performed the infernal deed? But were not all guilty? Were you not too tender of the lives of those who came to fix a yoke on your necks? But I must not too severely blame a fault which great souls only can commit. May that magnificence of

spirit which scorns the low pursuit of malice, may that generous compassion which often preserves from ruin, even a guilty villain, forever actuate the noble bosoms of Americans ! But let not the miscreant host vainly imagine that we feared their arms. No ; them we despised ; we dread nothing but slavery. Death is the creature of a poltroon's brains ; 'tis immortality to sacrifice ourselves for the salvation of our country. We fear not death. That gloomy night, the pale-faced moon, and the affrighted stars that hurried through the sky, can witness that we fear not death. Our hearts which, at the recollection, glow with rage that four revolving years have scarcely taught us to restrain, can witness that we fear not death ; and happy it is for those who dared to insult us, that their naked bodies are not now piled up, an everlasting monument to Massachusetts' bravery. But they retired, they fled, and in that flight they found their only safety. We then expected that the hand of public justice would soon inflict that punishment upon the murderers, which by the laws of God and man they had incurred. But let the unbiased pen of a Robertson,<sup>o</sup> or perhaps of some equally famed American, conduct this trial before the great tribunal of succeeding generations. And though the murderers may escape the just resentment of an outraged people ; though drowsy justice, intoxicated by the poisonous draught prepared for her cup still nods upon her rotten seat, yet be assured such complicated crimes will meet their due reward. Tell me, ye bloody butchers ! ye villains high and low ! ye wretches who contrived, as well as you who executed the inhuman deed ! do you not feel the goads and stings of conscious guilt pierce through your savage bosoms ? Though some of you may think yourselves exalted to a height that bids defiance to human justice ; and others shroud yourselves beneath the mask of hypocrisy, and build your hopes of safety on the low arts of cunning, chicanery, and falsehood ; yet do you not sometimes feel the gnawings of that worm <sup>o</sup> which never dies ? Do not the injured

shades of Maverick, Gray, Caldwell, Attucks, and Carr attend you in your solitary walks ; arrest you even in the midst of your debaucheries, and fill even your dreams with terror ? But if the unappeased manes ° of the dead should not disturb their murderers, yet surely even your obdurate hearts must shrink, and your guilty blood must chill within your rigid veins, when you behold the miserable Monk, ° the wretched victim of your savage cruelty. Observe his tottering knees, which scarce sustain his wasted body ; look on his haggard eyes ; mark well the death-like paleness on his fallen cheek, and tell me, does not the sight plant daggers in your souls ? Unhappy Monk ! Cut off, in the gay morn of manhood, from all the joys which sweeten life, doomed to drag on a pitiful existence, without even a hope to taste the pleasures of returning health ! Yet, Monk, thou livest not in vain ; thou livest a warning to thy country, which sympathizes with thee in thy sufferings ; thou livest an affecting, an alarming instance of the unbounded violence which lust of power, assisted by a standing army, can lead a traitor to commit.

For us he bled and now languishes. The wounds, by which he is tortured to a lingering death, were aimed at our country ! Surely the meek-eyed Charity can never behold such sufferings with indifference. Nor can her lenient hand forbear to pour oil and wine into these wounds, and to assuage, at least, what it can never heal. °

Patriotism is ever united with humanity and compassion. This noble affection, which impels us to sacrifice everything dear, even life itself, to our country, involves in it a common sympathy and tenderness for every citizen, and must ever have a particular feeling for one who suffers in a public cause. Thoroughly persuaded of this, I need not add a word to engage your compassion and bounty toward a fellow-citizen who, with long-protracted anguish, falls a victim to the relentless rage of our common enemies.

Ye dark, designing knaves, ye murderers, parricides ! how

dare you tread upon the earth which has drank in the blood of slaughtered innocents, shed by your wicked hands? How dare you breathe that air which wafted to the ear of Heaven the groans of those who fell a sacrifice to your accursed ambition? But if the laboring earth doth not expand her jaws; if the air you breathe is not commissioned to be the minister of death; yet, hear it and tremble! The eye of Heaven penetrates the darkest chambers of the soul, traces the leading clue through all the labyrinths which your industrious folly has devised; and you, however you may have screened yourselves from human eyes, must be arraigned, must lift your hands, red with the blood of those whose death you have procured, at the tremendous bar of God!

But I gladly quit the gloomy theme of death, and leave you to improve the thought of that important day when our naked souls must stand before that Being from whom nothing can be hid. I would not dwell too long upon the horrid effects which have already followed from quartering regular troops in this town. Let our misfortunes teach posterity to guard against such evils for the future. Standing armies are sometimes (I would by no means say generally, much less universally) composed of persons who have rendered themselves unfit to live in civil society; who have no other motives of conduct than those which a desire of the present gratification of their passions suggests; who have no property in any country; men who have given up their own liberties, and envy those who enjoy liberty; who are equally indifferent to the glory of a George or a Louis;<sup>o</sup> who, for the addition of one penny a day to their wages, would desert from the Christian cross and fight under the crescent of the Turkish sultan. From such men as these, what has not a State to fear? With such as these, usurping Cæsar passed the Rubicon; with such as these, he humbled mighty Rome, and forced the mistress of the world to own a master in a traitor. These are the men whom sceptred robbers now employ to frus-

trate the designs of God, and render vain the bounties which his gracious hand pours indiscriminately upon his creatures. By these, the miserable slaves of Turkey, Persia, and many other extensive countries are rendered truly wretched, though their air is salubrious and their soil luxuriously fertile. By these, France and Spain, though blessed by nature with all that administers to the convenience of life, have been reduced to that contemptible state in which they now appear; and by these, Britain, — but if I was<sup>o</sup> possessed of the gift of prophecy, I dare not, except by divine command, unfold the leaves on which the destiny of that once powerful kingdom is inscribed.

But since standing armies are so hurtful to a State, perhaps my countrymen may demand some substitute, some other means of rendering us secure against the incursions of a foreign enemy. But can you be one moment at a loss? Will not a well-disciplined militia afford you ample security against foreign foes? We want not courage; it is discipline alone in which we are exceeded by the most formidable troops that ever trod the earth. Surely our hearts flutter no more at the sound of war than did those of the immortal band<sup>o</sup> of Persia, the Macedonian phalanx, the invincible Roman legions, the Turkish janissaries, the gens d'armes of France, or the well-known grenadiers of Britain. A well-disciplined militia is a safe, an honorable guard to a community like this, whose inhabitants are by nature brave, and are laudably tenacious of that freedom in which they were born. From a well-regulated militia we have nothing to fear; their interest is the same with that of the State. When a country is invaded, the militia are ready to appear in its defence; they march into the field with that fortitude which a consciousness of the justice of their cause inspires; they do not jeopard their lives for a master who considers them only as the instruments of his ambition, and whom they regard only as the daily dispenser of the scanty pittance of bread and water. No! they fight<sup>a</sup> for their houses, their lands, for their wives,



their children ; for all who claim the tenderest names and are held dearest in their hearts ; they fight *pro aris et focis*,<sup>o</sup> for their liberty and for themselves and for their God. And let it not offend if I say that no militia ever appeared in more flourishing condition than that of this province now doth ; and pardon me if I say, of this town in particular. I mean not to boast ; I would not excite envy, but manly emulation. We have all one common cause ; let it, therefore, be our only contest, who shall most contribute to the security of the liberties of America. And may the same kind Providence which has watched over this country from her infant state still enable us to defeat our enemies. I cannot here forbear noticing the signal manner in which the designs of those who wish not well to us have been discovered. The dark deeds of a treacherous cabal have been brought to public view. You now know the serpents who, whilst cherished in your bosoms, were darting their envenomed stings into the vitals of the Constitution. But the representatives of the people have fixed a mark on these ungrateful monsters, which, though it may not make them so secure as Cain of old, yet renders them at least as infamous. Indeed, it would be affrontive to the tutelar<sup>o</sup> diety of this country even to despair of saving it from all the snares which human policy can lay.

True it is, that the British ministry have annexed a salary to the office of the governor of this province, to be paid out of a revenue raised in America, without our consent. They have attempted to render our courts of justice the instruments of extending the authority of acts of the British Parliament over this colony, by making the judges dependent on the British administration for their support. But this people will never be enslaved with their eyes open. The moment they knew that the governor was not such a governor as the charter of the province points out, he lost his power of hurting them. They were alarmed ; they suspected him—have guarded against

him, and he has found that a wise and a brave people, when they know their danger, are fruitful in expedients to escape it.

The courts of judicature, also, so far lost their dignity, by being supposed to be under an undue influence, that our representatives thought it absolutely necessary to resolve that they were bound to declare, that they would not receive any other salary besides that which the general court should grant them ; and if they did not make this declaration, that it would be the duty of the House to impeach them.

Great<sup>o</sup> expectations were also formed from the artful scheme of allowing the East India Company to export tea to America upon their own account. This certainly, had it succeeded, would have effected the purpose of the contrivers, and gratified the most sanguine wishes of our adversaries. We soon should have found our trade in the hands of foreigners, and taxes imposed on everything we consumed ; nor would it have been strange, if, in a few years, a company in London should have purchased an exclusive right of trading to America. But their plot was soon discovered. The people soon were aware of the poison which, with so much craft and subtility, had been concealed. Loss and disgrace ensued ; and perhaps this long-concerted masterpiece of policy may issue in the total disuse of tea in this country, which will eventually be the saving of the lives and the estates of thousands. Yet, while we rejoice that the adversary has not hitherto prevailed against us, let us by no means put off the harness. Restless malice and disappointed ambition will still suggest new measures to our inveterate enemies. Therefore, let us also be ready to take the field whenever danger calls ; let us be united and strengthen the hands of each other by promoting a general union among us. Much has been done by the committees of correspondence,<sup>o</sup> for this and the other towns of this province, toward uniting the inhabitants ; let them still go on and prosper. Much has been done by the committees of correspondence for the Houses of

Assembly, in this and our sister colonies, for uniting the inhabitants of the whole continent, for the security of their common interest. May success ever attend their generous endeavors. But permit me here to suggest a general congress of deputies, from the several Houses of Assembly on the continent,<sup>o</sup> as the most effectual method of establishing such a union as the present posture of our affairs requires. At such a congress, a firm foundation may be laid for the security of our rights and liberties; a system may be formed for our common safety, by a strict adherence to which we shall be able to frustrate any attempt to overthrow our constitution; restore peace and harmony to America, and secure honor and wealth to Great Britain, even against the inclinations of her ministers, whose duty it is to study her welfare; and we shall also free ourselves from those unmannerly pillagers who impudently tell us, that they are licensed by an act of the British Parliament to thrust their dirty hands into the pockets of every American. But I trust the happy time will come, when, with the besom of destruction, those noxious vermin will be swept forever from the streets of Boston.

Surely you never will tamely suffer this country to be a den of thieves. Remember, my friends, from whom you sprang. Let not a meanness of spirit, unknown to those whom you boast of as your fathers, excite a thought to the dishonor of your mothers.<sup>o</sup> I conjure you, by all that is dear, by all that is honorable, by all that is sacred, not only that ye pray, but that ye act; that, if necessary, ye fight, and even die, for the prosperity of our Jerusalem. Break in sunder, with noble disdain, the bonds with which the Philistines<sup>o</sup> have bound you. Suffer not yourselves to be betrayed, by the soft arts of luxury and effeminacy, into the pit digged for your destruction. Despise the glare of wealth. That people who pay greater respect to a wealthy villain than to an honest, upright man in poverty almost deserve to be enslaved; they plainly show that wealth,

however it may be acquired, is, in their esteem, to be preferred to virtue.

But I thank God that America abounds in men who are superior to all temptation, whom nothing can divert from a steady pursuit of the interest of their country, who are at once its ornament and its safeguard. And sure I am, I should not incur your displeasure, if I paid a respect, so justly due to their much honored characters, in this place. But when I name an Adams, such a numerous host of fellow-patriots rush upon my mind that I fear it would take up too much of your time should I attempt to call over the illustrious roll. But your grateful hearts will point you to the men; and their revered names, in all succeeding times, shall grace the annals of America. From them let us, my friends, take example; from them let us catch the divine enthusiasm; and feel, each for himself, the godlike pleasure of diffusing happiness on all around us; of delivering the oppressed from the iron grasp of tyranny; of changing the hoarse complaints and bitter moans of wretched slaves into those cheerful songs which freedom and contentment must inspire. There is a heartfelt satisfaction in reflecting on our exertions for the public weal, which all the sufferings an enraged tyrant can inflict will never take away; which the ingratitude and reproaches of those whom we have saved from ruin, cannot rob us of. The virtuous asserter of the rights of mankind merits a reward, which even a want of success in his endeavors to save his country, the heaviest misfortune which can befall a genuine patriot, cannot entirely prevent him from receiving.

I have the most animating confidence that the present noble struggle for liberty will terminate gloriously for America. And let us play the man for our God, and for the cities of our God; while we are using the means in our power, let us humbly commit our righteous cause to the great Lord of the universe, who loveth righteousness and hateth iniquity. And having

secured the approbation of our hearts, by a faithful and unwearied discharge of our duty to our country, let us joyfully leave our concerns in the hands of Him who raiseth up and pulleth down the empires and kingdoms of the world as He pleases ; and with cheerful submission to His sovereign will, devoutly say, “ Although the fig-tree shall not blossom, neither shall fruit be in the vines ; the labor of the olive shall fail, and the field shall yield no meat ; the flock shall be cut off from the fold, and there shall be no herd in the stalls ; yet we will rejoice in the Lord, we will joy in the God of our salvation.” °

## PATRICK HENRY

1736-1799

PATRICK HENRY of Virginia lives in the minds of Americans as the first of the great orators of the pre-revolutionary period. Of his speeches, one on taxation delivered in 1763, and one on the Stamp Act in 1765, are wholly unreported. The appended version of the famous speech of 1775 is vouched for by his biographer, Wirt, and has been accepted as a classic among oratorical utterances. It certainly exhibits all the patriotic fervor, all the clear, logical, and consistent argument which we have learned to associate with the thought of Henry. It has been stated that such was the charm of this man's voice and personality that his hearers were enchained beyond the power of reporting him ; and, as his earlier speeches were practically, if not wholly, extemporaneous, no records could have survived in his own notes.

There is in this, as in all Patrick Henry's utterance, a strain of enthusiasm and exhortation which is akin to that which inspired the Hebrew prophets ; but it is saved from the ambiguity which characterizes some of those early prophecies—saved by its absolutely faultless logic. Besides, despite its tone of patriotic warning, this speech is at no point florid or fanciful ; its effectiveness is due to the spirit of manly independence which pervades it ; and to the clear-sighted, warm-hearted patriotism which, even in cold print, it still exhales.

## ON THE RESOLUTION TO PUT THE COMMON-WEALTH INTO A STATE OF DEFENCE—BEFORE VIRGINIA CONVENTION

MARCH 23, 1775

*Mr. President,* — No man thinks more highly than I do of the patriotism as well as abilities of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if, entertaining as I do opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfill the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time through fear of giving offense, I should consider myself as ° guilty of treason towards my country, and of an act of disloyalty toward the Majesty of Heaven, which I revere above all earthly kings.

Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren ° till she transforms us into beasts. ° Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those who, having eyes, ° see not, and having ears, hear not the things which so nearly concern their temporal ° salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth, to know the worst, and to provide for it.

I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past. And, judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years to justify those hopes with which gentlemen<sup>o</sup> have been pleased to solace themselves and the house. Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss.<sup>o</sup> Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation, the last arguments to which kings resort. I ask gentlemen,<sup>o</sup> sir, What means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable, but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find that have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned, we have remonstrated,



we have supplicated, we have prostrated ourselves before the throne,<sup>o</sup> and have implored its interposition to arrest the tyrannical hands of the ministry and parliament. Our petitions have been slighted, our remonstrances have produced additional violence and insult, our supplications have been disregarded, and we have been spurned with contempt from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free, if we mean to preserve inviolate those inestimable privileges for which we have been so long contending, if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon until the glorious object of our contest shall be obtained, we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us.

They tell us, sir, that we are weak, unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next<sup>o</sup> week or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election.<sup>o</sup> If we were

base enough to desire it, it is now too late to retire from the contest. There is no retreat but in submission and slavery ! Our chains are forged ! Their clanking ° may be heard on the plains of Boston ! The war is inevitable — and let it come ! I repeat, sir, let it come !

It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, Peace, but there is no peace. The next ° gale that sweeps from the north will bring to our ears the clash of resounding arms ! Our brethren are already in the field ! Why stand we here idle ? What is it that gentlemen wish ? What would they have ? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery ? Forbid it, Almighty God ! I know not what course others may take, but as for me, give me liberty or give me death !

# RICHARD HENRY LEE

1732-1794

RICHARD HENRY LEE was a Virginian; all the fire that flamed throughout his state found in him, the scion of an old Loyalist house, ready material. He originated the "Committees of Correspondence," and later moved the declaration of American independence.

He was a polished and graceful individual, who added to depth of knowledge and intensity of sentiment a personality of great charm. He was, it is said, the last man one would have taken to be an extreme revolutionist. Yet, under his suavity of manner lay a volcanic heart; and it was this that inspired his eloquence, and his tireless energy in the cause of his country against his king.

## ADDRESS TO THE PEOPLE OF ENGLAND

JULY 8, 1775

[The twelve United Colonies, by their delegates, in Congress,<sup>o</sup> to the inhabitants of Great Britain:—]

Friends, Countrymen, and Brethren:—By these and by every other appellation that may designate the ties which bind us to each other, we entreat your serious attention to this, our second<sup>o</sup> attempt, to prevent their dissolution. Remembrance of former friendships, pride in the glorious achievements

of our common ancestors, and affection for the heirs of their virtues have hitherto preserved our mutual connection ; but when that friendship is violated by the grossest injuries ; when the pride of ancestry becomes our reproach, and we are no otherwise allied than as tyrants and slaves ; when reduced to the melancholy alternative of renouncing your favor or our freedom, can we hesitate about the choice ? Let the spirit of Britons determine.

In a former address we asserted our rights, and stated the injuries we had then received. We hoped that the mention of our wrongs would have roused that honest indignation which has slept too long for your honor, or the welfare of the empire. But we have not been permitted to entertain this pleasing expectation. Every day brought on accumulation of injuries, and the invention of the ministry has been constantly exercised in adding to the calamities of your American brethren.

After the most valuable right ° of legislation was infringed ; when the powers assumed by your Parliament, in which we are not represented, and from our local and other circumstances cannot be properly represented, rendered our property precarious ° ; after being denied that mode of trial to which we have been long indebted for the safety of our persons and the preservation of our liberties ; after being in many instances divested of those laws which were transmitted to us by our common ancestors, and subjected to an arbitrary code, compiled under the auspices of Roman tyrants ; after those charters which encouraged our predecessors to brave death and danger in every shape, on unknown seas, in deserts unexplored, amidst barbarous and inhospitable nations, were annulled ° ; when without form of trial, without a public accusation, whole colonies were condemned, their trade destroyed, their inhabitants impoverished ° ; when soldiers were encouraged to imbrue their hands in the blood of Americans, by offers of impunity ° ; when new modes of trial were instituted for the ruin of the

accused, where the charge carried with it the horrors of conviction; when a despotic government was established in a neighboring province, and its limits extended to every part of our frontiers; we little imagined that anything could be added to this black catalogue of unprovoked injuries; but we have unhappily been deceived, and the late measures of the British ministry fully convince us that their object is the reduction of these colonies to slavery and ruin.

To confirm this assertion, let us recall your attention to the affairs of America since our last address. Let us combat the calumnies of our enemies, and let us warn you of the dangers that threaten you in our destruction. Many of your fellow-subjects, whose situation deprived them of other support, drew their maintenance from the sea; but the deprivation of our liberty being insufficient to satisfy the resentment of our enemies, the horrors of famine were superadded, and a British parliament, who, in better times, were the protectors of innocence and the patrons of humanity, have, without distinction of age or sex, robbed thousands of the food of which they were accustomed to draw from that inexhaustible source, placed in their neighborhood by a benevolent Creator.<sup>o</sup>

Another act of your legislature shuts our ports and prohibits trade with any but those States from whom the great law of self-preservation renders it absolutely necessary we should at present withhold our commerce. But this act (whatever may have been its design) we consider rather as injurious to your opulence than our interest. All our commerce terminates with you; and the wealth we procure from other nations is soon exchanged for your superfluities. Our remittances must then cease with our trade, and our refinements with our affluence. We trust, however, that laws which deprive us of every blessing but a soil that teems with the necessities of life, and that liberty which renders the enjoyment of them secure, will not relax our vigor in their defense. We might here observe on the cruelty and

inconsistency of those, who, while they publicly brand us with reproachful and unworthy epithets, endeavor to deprive us of the means of defense by their interposition with foreign powers, and to deliver us to the lawless ravages of a merciless soldiery. But happily we are not without resources; and though the timid and humiliating applications of a British ministry should prevail with foreign nations, yet industry, prompted by necessity, will not leave us without the necessary supplies.°

We could wish to go no further and, not to wound the ear of humanity, leave untold those rigorous acts of oppression which are daily exercised in the town of Boston, did not we hope that by disclaiming their deeds and punishing the perpetrators, you would shortly vindicate the honor of the British name and reëstablish the violated laws of justice.

That once populous, flourishing, and commercial town is now garrisoned by an army, sent not to protect, but to enslave its inhabitants. The civil government is overturned and a military despotism erected upon its ruins. Without law, without right, powers are assumed, unknown to the constitution. Private property is unjustly invaded. The inhabitants, daily subjected to the licentiousness of the soldiery, are forbid to remove in defiance of their natural rights, in violation of the most solemn compacts. Or, if after long and wearisome solicitation, a pass is procured, their effects are detained, and even those who are most favored have no alternative but poverty or slavery. The distress of many thousand people, wantonly deprived of the necessities of life, is a subject on which we would not wish to enlarge.°

Yet we cannot but observe that a British fleet (unjustified even by acts of your legislature) are° daily employed in ruining our commerce, seizing our ships, and depriving whole communities of their daily bread. Nor will a regard for your honor permit us to be silent, while British troops sully your glory by actions which the most inveterate enmity will not

palliate among civilized nations — the wanton and unnecessary destruction of Charlestown, a large, ancient, and once populous town, just before deserted by its inhabitants, who had fled to avoid the fury of your soldiery.

If still you retain those sentiments of compassion by which Britons have ever been distinguished; if the humanity which tempered the valor of our common ancestors has not degenerated into cruelty, you will lament the miseries of their descendants.

To what are we to attribute this treatment? If to any secret principle of the Constitution, let it be mentioned; let us learn that the government we have long revered is not without its defects, and that while it gives freedom to a part, it necessarily enslaves the remainder of the empire. If such a principle exists, why for ages has it ceased to operate? Why at this time is it called into action? Can no reason be assigned for this conduct, or must it be resolved into the wanton exercise of arbitrary power? And shall the descendants of Britons tamely submit to this? No, sirs! We never will; while we revere the memory of our gallant and virtuous ancestors, we never can surrender those glorious privileges for which they fought, bled, and conquered. Admit that your fleets could destroy our towns, and ravage our seacoasts; these are considerable objects, things of no moment to men whose bosoms glow with the ardor of liberty. We can retire beyond the reach of your navy, and, without any sensible diminution of the necessaries of life, enjoy a luxury which from that period you will want — the luxury of being free.<sup>o</sup>

We know the force of your arms, and were it called forth in the cause of justice and your country, we might dread the exertion; but will Britons fight<sup>o</sup> under the banners of tyranny? Will they counteract the labors, and disgrace the victories of their ancestors? Will they forge chains for their posterity? If they descend to this unworthy task, will their swords retain their edge, their arms their accustomed vigor? Britons can

never become the instruments of oppression, till they lose the spirit of freedom, by which alone they are invincible.

Our enemies charge us with sedition. In what does it consist? In our refusal to submit to unwarrantable acts of injustice and cruelty? If so, show us a period in your history in which you have not been equally seditious? We are accused of aiming at independence; but how is this accusation supported? By the allegations of your ministers, not by our actions. Abused, insulted, and contemned,<sup>o</sup> what steps have we pursued to obtain redress? We have carried our dutiful petitions to the throne. We have applied to your justice for relief. We have retrenched our luxury and withheld our trade.

The advantages of our commerce were designed as a compensation for your protection. When you ceased to protect, for what were we to compensate?

What has been the success of our endeavors? The clemency of our sovereign is unhappily diverted; our petitions are treated with indignity; our prayers answered by insults. Our application to you remains unnoticed, and leaves us the melancholy apprehension of your wanting either the will or the power to assist us.

Even under these circumstances, what measures have we taken that betray a desire for independence? Have we called in the aid of those foreign powers who are the rivals of your grandeur? When your troops were few and defenceless, did we take advantage of their distress, and expel them our towns, or have we permitted them to fortify, to receive new aid, and to acquire additional strength?

Let not your enemies and ours persuade you that in this we were influenced by fear, or any other unworthy motive. The lives of Britons are still dear to us. They are the children of our parents, and an uninterrupted intercourse of mutual benefits had knit the bonds of friendship. When hostilities were commenced; when on a late occasion we were wantonly attacked



by your troops, though we repelled their assaults and returned their blows, yet we lamented the wounds they obliged us to give ; nor have we yet learned to rejoice at a victory over Englishmen.

As we wish not to color our actions or disguise our thoughts, we shall, in the simple language of truth, avow the measures we have pursued, the motives upon which we have acted, and our future designs.

When our late petition to the throne produced no other effect than fresh injuries, and votes of your legislature calculated to justify every severity ; when your fleets and your armies were prepared to wrest from us our property, to rob us of our liberties or our lives, when the hostile attempts of General Gage ° evinced his designs, we levied armies for our security and defence. When the powers vested in the governor of Canada gave us reason to apprehend danger from that quarter, and we had frequent intimations that a cruel ° and savage enemy was to be let loose upon the defenceless inhabitants of our frontiers, we took such measures as prudence dictated, as necessity will justify. We possessed ourselves of Crown Point and Ticonderoga. Yet give us leave most solemnly to assure you that we have not yet lost sight of the object we have ever had in view — a reconciliation with you on constitutional principles, and a restoration of that friendly intercourse which, to the advantage of both, we till lately maintained.

The inhabitants of this country apply themselves chiefly to agriculture and commerce. As their fashions and manners are similar to yours, your markets must afford them the conveniences and luxuries for which they exchange the produce of their labors. The wealth of this extended ° continent centres with you ; and our trade is so regulated as to be subservient only to your interest. You are too reasonable to expect that by taxes (in addition to this) we should contribute to your expense ; to believe after diverting the fountain, ° that the streams can flow with unabated force.

It has been said that we refuse to submit to the restrictions on our commerce. From whence is this inference drawn? Not from our words; we have repeatedly declared the contrary, and we again profess our submission to the several acts of trade and navigation passed before the year 1763,<sup>o</sup> trusting, nevertheless, in the equity and justice of parliament, that such of them as, upon cool and impartial consideration, shall appear to have imposed unnecessary or grievous restrictions, will, at some happier period, be repealed or altered. And we cheerfully consent to the operation of such acts of the British Parliament as shall be restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother-country, and the commercial benefits of its respective members; excluding every idea of taxation, internal and external, for raising a revenue on the subjects in America without their consent.

It is alleged that we contribute nothing to the common defence. To this we answer that the advantages which Great Britain receives from the monopoly of our trade far exceed our proportion of the expense necessary for that purpose. But should these advantages be inadequate thereto, let the restrictions on our trade be removed, and we will cheerfully contribute such proportion when constitutionally required.

It is a fundamental principle of the British Constitution that every man should have at least a representative share in the formation of those laws by which he is bound.<sup>o</sup> Were it otherwise, the regulation of our internal police by a British Parliament, who are, and ever will be, unacquainted with our local circumstances, must be always inconvenient, and frequently oppressive, working our wrong, without yielding any possible advantage to you.

A plan of accommodation (as it has been absurdly called) has been proposed by your ministers to our respective assemblies. Were this proposal free from every other objection but that which

arises from the time of the offer, it would not be unexceptionable. Can men deliberate with the bayonets at their breast? Can they treat with freedom while their towns are sacked; when daily instances of injustice and oppression disturb the slower operations of reason?

If this proposal is really such as you would offer, and we accept, why was it delayed till the nation was put to useless expense, and we were reduced to our present melancholy situation? If it holds forth nothing, why was it proposed, unless, indeed, to deceive you into a belief that we were unwilling to listen to any terms of accommodation? But what is submitted to our consideration? We contend for the disposal of our property. We are told that our demand is unreasonable; that our assemblies may indeed collect our money, but that they must, at the same time, offer, not what your exigencies and ours may require, but so much as shall be deemed sufficient to satisfy the desires of a minister, and enable him to provide for favorites and dependents.<sup>o</sup> A recurrence to your own treasury will convince you how little of the money already extorted from us has been applied to the relief of your burthens. To suppose that we would thus grasp the shadow, and give up the substance, is adding insult to injuries.

We have, nevertheless, again presented an humble and dutiful petition to our sovereign; and, to remove every imputation of obstinacy, have requested his Majesty to direct some mode by which the united applications of his faithful colonists may be improved into a happy and permanent reconciliation. We are willing to treat on such terms as can alone render an accommodation lasting, and we flatter ourselves that our pacific endeavors will be attended with a removal of ministerial troops, and a repeal of those laws of operation of which we complain, on the one part; and a disbanding of our army and a dissolution of our commercial associations, on the other.<sup>o</sup>

Yet conclude not from this that we propose to surrender our

property into the hands of your ministry or vest your Parliament with a power which may terminate in our destruction. The great bulwarks of our Constitution we have desired to maintain by every temperate, by every peaceable means; but your ministers (equal foes to British and American freedom) have added to their former oppressions an attempt to reduce us, by the sword, to a base and abject submission. On the sword, therefore, we are compelled to rely for protection. Should victory declare in your favor, yet men trained to arms from their infancy, and animated by the love of liberty, will afford neither a cheap nor an easy conquest. Of this, at least, we are assured, that our struggle will be glorious, our success certain; since, even in death, we shall find that freedom which in life you forbid us to enjoy.

Let us now ask what advantages are to attend our reduction. The trade of a ruined and desolate country is always inconsiderable, its revenue trifling, the expense of subjecting and retaining it in subjection certain and inevitable. What, then, remains but the gratification of an ill-judged pride, or the hope of rendering us subservient to designs on *your* liberty?

Soldiers who have sheathed their swords in the bowels of their American brethren will not draw them with more reluctance against you. When too late, you may lament the loss of that freedom which we exhort you, while still in your power, to preserve.

On the other hand, should you prove unsuccessful, should that connection which we most ardently wish to maintain be dissolved, should your ministers exhaust your treasures and waste the blood of your countrymen in vain attempts on our liberty, do they not deliver you, weak and defenceless, to your natural enemies? Since then, your liberty must be the price of your victories, your ruin of your defeat—what blind fatality can urge you to a pursuit destructive of all that Britons hold dear?

If° you had no regard to the connection which has for ages subsisted between us ; if you have forgotten the wounds we have received fighting by your side for the extension of the empire ; if our commerce is not an object below your consideration ; if justice and humanity have lost their influence on your hearts, still motives are not wanting to excite your indignation at the measures now pursued. Your wealth, your honor, your liberty, are at stake.

Notwithstanding the distress to which we are reduced, we sometimes forget our own afflictions to anticipate and sympathize in yours. We grieve that rash and inconsiderate counsels should precipitate the destruction of an empire which has been the envy and admiration of ages ; and call God to witness that we would part with our property, endanger our lives, and sacrifice everything but liberty to redeem you from ruin.

A cloud hangs over your heads and ours ; ere this reaches you it may probably burst upon us ; let us, then (before the remembrance of former kindness is obliterated), once more repeat those appellations which are ever grateful in our ears ; let us entreat heaven to avert our ruin, and the destruction that threatens our friends, brethren, and countrymen on the other side of the Atlantic.

## SAMUEL ADAMS

1722-1803

SAMUEL ADAMS is one of the notable examples of a dominance of physical weakness by intellectual and emotional fire. We are told that his sensitiveness made him tremble in the presence of an audience ; but his earnestness for the cause of liberty and his "angelic voice" made him overcome all physical drawbacks, so that he has been styled "the Colossus of debate." The oration delivered at Philadelphia in August, 1776, is the only complete report, it is said, that exists of any of his speeches, and Wells questions the authenticity of even this. But of his writings a number are preserved.

This, the original "Independence Day" oration, is worthy of careful consideration for its logical development, as well as for its forceful and elegant diction. It is infused with a spirit of reverence and a patriotic enthusiasm which renders it inspiring now when the lips that uttered it have long been stilled. Despite Mr. Wells's scepticism, it is characteristic and worthy of Adams. Let the student try to add to his impression of the printed words, the mellow and persuasive tones of a perfectly modulated voice, as it must have rung out over the heads of the assembled patriots ; let him feel, if he can, the emotion that thrilled the speaker and his audience less than a month after the Declaration had been signed ; let him remember that all this occurred where the tones of the "Independence Bell" had floated with their joyful message, and he will catch

at least an echo of the personality of the man whose utterance so powerfully swayed the "men of '76" that he has been called "The Father of the American Revolution."

## AMERICAN INDEPENDENCE

1776

Countrymen and Brethren, — I would gladly have declined an honor to which I find myself unequal. I have not the calmness and impartiality which the infinite importance of this occasion demands. I will not deny the charge of my enemies, that resentment for the accumulated injuries of our country, rising to enthusiasm, may deprive me of that accuracy of judgment and expression which men of cooler passions may possess. Let me beseech you, then, to hear me with caution, to examine your prejudice, and to correct the mistakes into which I may be hurried by my zeal.

Truth loves an appeal to the common sense of mankind. Your unperverted understandings can best determine on subjects of a practical nature. The positions and plans which are said to be above the comprehension of the multitude may be always suspected to be visionary and fruitless. He who made all men, hath made the truths necessary to human happiness obvious to all.

Our forefathers threw off the yoke of Popery<sup>o</sup> in religion; for you is reserved the levelling the popery of politics. They opened the Bible to all, and maintained the capacity of every man to judge for himself in religion. Are we sufficient for the comprehension of the sublimest spiritual truths, and unequal to material and temporal ones? Heaven hath trusted us with the management of things for eternity, and man denies us ability to judge of the present, or to know from our feelings

the experience that will make us happy. "You can discern," say they, "objects distant and remote, but cannot perceive those within your grasp. Let us have the distribution of present goods, and cut out and manage as you please the interests of futurity." This day, I trust, the reign of political protestantism<sup>o</sup> will commence. We have explored the temple of royalty, and found that the idol we have bowed down to has eyes which see not, ears that hear not our prayers, and a heart like the nether millstone. We have this day restored the Sovereign, to whom alone men ought to be obedient. He reigns in Heaven, and with a propitious eye beholds his subjects assuming that freedom of thought and dignity of self-direction which He bestowed on them. From the rising to the setting sun may His kingdom come.

Having been a slave to the influence of opinions early acquired and distinctions generally received, I am ever inclined not to despise but to pity those who are yet in darkness. But to the eye of reason what can be more clear than that all men have an equal right to happiness? Nature made no other distinction than that of higher or lower degrees of power of mind and body. But what mysterious distribution of character has the craft of statesmen, more fatal than priestcraft, introduced?

According to their<sup>o</sup> doctrine, the offspring of a successful invader shall, from generation to generation, arrogate the right of lavishing on their pleasures a proportion of the fruits of the earth, more than sufficient to supply the wants of thousands of their fellow-creatures; claim authority to manage them like beasts of burthen<sup>o</sup>; and without superior industry, capacity, or virtue, — nay, though disgraceful to humanity by their ignorance, intemperance, and brutality, — shall be deemed best calculated to frame laws and to consult for the welfare of society.

Were the talents and virtues which Heaven has bestowed upon men given merely to make them more obedient drudges, to be sacrificed to the follies and ambitions of the few? or were



not the noble gifts so equally dispensed with a divine purpose and law that they should as nearly as possible be equally exerted, and the blessings of poverty be equally enjoyed by all? Away, then, with those absurd systems which, to gratify the pride of a few, debase the greatest part of our species below the order of men. What an affront to the King of the universe, to maintain that the happiness of a monster sunk in debauchery and spreading desolation and murder among men, of a Caligula, a Nero, or a Charles,<sup>o</sup> is more precious in His sight than that of millions of His suppliant creatures, who do justice, love mercy, and walk humbly with their God! No! in the judgment of Heaven there is no other superiority among men than a superiority in wisdom and virtue. And can we have a safer model in forming ours? The Deity, then, has not given any order or family of men authority over others, and if any men have given it, they only<sup>o</sup> could give it for themselves. Our forefathers, 'tis said, consented to be subject to the laws of Great Britain. I will not, at present, dispute it, nor mark out the limits and conditions of their submission; but will it be denied that they contracted to pay obedience, and to be under the control of Great Britain, because it appeared to them most beneficial in their then present circumstances and situations? We, my countrymen, have the same right to consult and provide for our happiness which they had to promote theirs. If they had a view to posterity in their contracts, it must have been to advance the felicity of their descendants. If they erred in their expectations and prospects, we can never be condemned for a conduct which they would have recommended had but they foreseen our present condition.

Ye darkeners of counsel, who would make the property, lives, and religion of millions depend on the evasive interpretations of musty parchments; who would send us to antiquated charters, of uncertain and contradictory meaning, to prove that the present generation are not bound to be victims to cruel and

unforgiving despotism, tell us whether our pious and generous ancestors bequeathed to us the miserable privilege of having the rewards of our honest industry, the fruits of those fields which they purchased and bled for, wrested from us at the will of men over whom we have no check? Did they contract for us that, with folded arms, we should expect that justice and mercy from brutal and inflamed invaders which have been denied to our supplications at the foot of the throne? Were we to hear our character as a people ridiculed with indifference? Did they promise for us that our meekness and patience should be insulted; our coasts harassel; our towns demolished and plundered, and our wives and offspring exposed to nakedness, hunger, and death, without our feeling the resentment of men, and exerting those powers of self-preservation which God has given us? No man had once a greater veneration for Englishmen than I entertained. They were dear to me, as branches of the same parental trunk, and partakers of the same religion and laws; I still view with respect the remains of the constitution<sup>o</sup> as I would a lifeless body which had once been animated by a great and heroic soul. But when I am roused by the din of arms; when I behold legions of foreign assassins, paid by Englishmen to imbrue their hands in our blood; when I tread over the uncoffined bones of my countrymen, neighbors, and friends; when I see the locks of a venerable father torn by savage hands, and a feeble mother, clasping her infants to her bosom, on her knees imploring their lives from her own slaves, whom Englishmen have allured to treachery and murder; when I behold my country, once the seat of industry, peace, and plenty changed by Englishmen to a theatre of blood and misery, Heaven forgive me if I cannot root out those passions which it has implanted in my bosom, and detest submission to a people who have either ceased to be human, or have not virtue enough to feel their own wretchedness<sup>o</sup> and servitude.

Men who content themselves with the semblance of truth, and a display of words, talk much of our obligations to Great Britain for protection! Had she a single eye to our advantage? A nation<sup>o</sup> of shopkeepers are very seldom so disinterested. Let us not be so amused with words; the extension of her commerce was her object. When she defended our coasts, she fought for her customers, and convoyed our ships loaded with wealth which we had acquired for her by our industry. She has treated us as beasts of burthen, whom the lordly masters cherish that they may carry a greater load. Let us inquire also against whom she has protected us; against her own enemies with whom we had no quarrel, or only on her account, and against whom we always readily exerted our wealth and strength when they were required. Were these colonies backward in giving assistance to Great Britain when they were called upon in 1739 to aid the expedition against Carthage<sup>na</sup>? They at that time sent three thousand men to join the British army, although the war commenced without their consent. But the last<sup>o</sup> war, 'tis said, was purely American. This is a vulgar error, which like many others has gained credit by being confidently repeated. The disputes between the courts of Great Britain and France related to the limits of Canada and Nova Scotia. The controverted territory was not claimed by any in the colonies, but by the Crown of Great Britain. It was, therefore, their own quarrel. The infringement of a right which England had, by the treaty of Utrecht, of trading in the Indian country of Ohio, was another cause of the war. The French seized large quantities of British manufacture, and took possession of a fort which a company of British merchants and factors had erected for the security of their commerce. The war was, therefore, waged in defence of lands claimed by the Crown and for the protection of British property. The French at that time had no quarrel with America; and, as appears by letters

sent from their commander-in-chief to some of the colonies, wished to remain in peace with us. The part, therefore, which we then took, the miseries to which we exposed ourselves, ought to be charged to our affection for Britain. These colonies granted more than their proportion to the support of the war. They raised, clothed, and maintained nearly twenty-five thousand men, and so sensible were the people of England of our great exertions that a message was annually sent to the House of Commons purporting, "That his Majesty being highly satisfied with the zeal and vigor with which his faithful subjects in North America had exerted themselves in defence of his Majesty's just rights and possessions, recommended it to the House to take the same into consideration and enable him to give them a proper compensation."

But what purpose can arguments of this kind answer? Did the protection we received annul our rights as men, and lay us under an obligation of being miserable?

Who among you, my countrymen, that is a father, would claim authority to make your child a slave because you had nourished him in his infancy?

'Tis a strange species of generosity which requires a return infinitely more valuable than anything it could have bestowed; that demands as a reward for a defence of our property a surrender of those inestimable privileges, to the arbitrary will of vindictive tyrants, which alone give value to that very property.

Political right and public happiness are different words for the same idea. They who wander into metaphysical labyrinths, or have recourse to original contracts, to determine the rights of men, either impose on themselves or mean to delude others. Public utility is the only certain criterion. It is a test which brings disputes to a speedy decision, and makes it appeal to the feelings of mankind. The force of truth has obliged men to use arguments drawn from this principle, who

were combating it, in practice and speculation. The advocates for a despotic government, and non-resistance to the magistrate, employ reasons in favour of their systems, drawn from a consideration of their tendency to promote public happiness.

The Author of Nature directs all his operations to the production of the greatest good, and has made human virtue to consist in a disposition and conduct which tends to the common felicity of his creatures. An abridgement of the natural freedom of man, by the institution of political societies, is vindicable only on this foot.<sup>o</sup> How absurd, then, is it to draw arguments from the nature of civil society for the annihilation of those very ends which society was intended to procure. Men associate for their mutual advantage. Hence the good and happiness of the members, that is, the majority of the members of any state, is the great standard by which everything relating to that state must finally be determined; and though it may be supposed that a body of people may be bound by a voluntary resignation (which they have been so infatuated as to make) of all their interests to a single person, or to a few, it can never be conceived that the resignation is obligatory to their posterity, because it is manifestly contrary to the good of the whole that it should be so.

These are the sentiments of the wisest and most virtuous champions of freedom. Attend to a portion on this subject from a book in our defence written, I had almost said, by the pen of inspiration, "I lay no stress," says he, "on charters; they derive their rights from a higher source. It is inconsistent with common sense to imagine that any people would ever think of settling in a distant country, on any such condition, or that the people from whom they withdrew should forever be masters of their property, and have power to subject them to any modes of government they pleased. And had there been express stipulations to this purpose in all the charters of the

colonies, they would, in my opinion, be no more bound by them than if it had been stipulated with them that they should go naked, or expose themselves to the incursions of wolves and tigers."

Such are the opinions of every virtuous and enlightened patriot in Great Britain. Their petition to Heaven is, "That there may be one free country left upon earth, to which they may fly when venality, luxury, and vice shall have completed the ruin of liberty there."

Courage, then, my countrymen! our contest is not only whether we ourselves shall be free, but whether there shall be left to mankind an asylum on earth for civil and religious liberty. Dismissing, therefore, the justice of our cause as incontestable, the only question is, What is best for us to pursue in our present circumstances?

The doctrine of dependence upon Great Britain is, I believe, generally exploded; but as I would attend to the honest weakness of the simplest of men, you will pardon me if I offer a few words on this subject.

We are now on this continent, to the astonishment of the world, three millions of souls united in one common cause. We have large armies well disciplined and appointed, with commanders<sup>o</sup> inferior to none in military skill, and superior in activity and zeal. We are furnished with arsenals and stores beyond our most sanguine expectations, and foreign nations are waiting to crown our success with their alliances. There are instances of, I would say, an almost astonishing Providence in our favor; our success has staggered our enemies, and almost given faith to infidels<sup>o</sup>; so that we may truly say it is not our own arm which has saved us.

The hand of Heaven seems to have led us on to be, perhaps, humble instruments and means in the great Providential dispensation which is completing. We have fled from the political Sodom; let us not look back lest we perish and become a

monument of infamy and derision to the world. For can we ever expect more unanimity and a better preparation for defense; more infatuation of counsel among our enemies, and more valor and zeal among ourselves? The same force and resistance which are sufficient to procure us our liberties, will secure us a glorious independence and support us in the dignity of free, imperial States. We cannot suppose that our opposition has made a corrupt and dissipated nation more friendly to America, or created in them a greater respect for the rights of mankind. We can, therefore, expect a restoration and establishment of our privileges, and a compensation for the injuries we have received from their want of power, from their fears, and not from their virtues. The unanimity and valor which will affect an honorable peace can render a future contest for our liberties unnecessary. He who has strength to chain down the wolf, is a madman if he lets him loose without drawing his teeth and paring his nails.

From the day on which an accommodation<sup>o</sup> takes place between England and America on any other terms than as independent states, I shall date the ruin of this country. A politic minister will study to lull us into security by granting us the full extent of our petitions. The warm sunshine of influence would melt down the virtue which the violence of the storm rendered more firm and unyielding. In a state of tranquillity, wealth, and luxury, our descendants would forget the arts of war and the noble activity and zeal which made their ancestors invincible. Every art of corruption would be employed to loosen the bond of union which renders our resistance formidable. When the spirit of liberty which now animates our hearts and give success to our arms is extinct, our numbers will accelerate our ruin, and render us easier victims to tyranny. Ye abandoned minions of an infatuated ministry, if peradventure any should yet remain among us—remember that a Warren and a Montgomery are numbered among the dead!

Contemplate the mangled bodies of your countrymen and then say, what should be the reward of such sacrifices? Bid not our posterity bow the knee, supplicate the friendship, and plough and sow and reap, to glut the avarice of the men who have let loose on us the dogs of war to riot in our blood, and hunt us from the face of the earth! If ye love wealth better than liberty, the tranquillity of servitude than the animating contest of freedom, go from us in peace. We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen.

To unite the *Supremacy of Great Britain* and the *Liberty of America* is utterly impossible. So vast a continent and at such a distance from the seat of empire, will every day grow more unmanageable. The motion of so unwieldy a body cannot be directed with any dispatch and uniformity, without committing to the Parliament of Great Britain powers inconsistent with our freedom. The authority and force which would be absolutely necessary for the preservation of the peace and good order of this continent would put all our valuable rights within the reach of that nation.

As the administration of government requires firmer and more numerous supports in proportion to its extent, the burthens imposed on us would be excessive, and we should have the melancholy prospect of their increasing on our posterity. The scale of officers, from the rapacious and needy commissioner, to the haughty governor, and from the governor with his hungry train to perhaps a licentious and prodigal viceroy, must be upheld by you and your children. The fleets and armies which will be employed to silence your murmurs and complaints must be supported by the fruits of your industry.<sup>o</sup>

And yet, with all this enlargement of the expense and powers of government, the administration of it at such a distance and over so extensive a territory, must necessarily fail of putting



the laws into vigorous execution, removing private oppressions, and forming plans for the advancement of agriculture and commerce, and preserving the vast empire in any tolerable peace and security. If our posterity retain any spark of patriotism, they can never tamely submit to any such burthens. This country will be made the field of bloody contention till it gains that independence for which nature formed it. It is, therefore, injustice and cruelty to our offspring, and would stamp us with the character of baseness and cowardice, to leave the salvation of this country to be worked out by them with accumulated difficulty and danger.

Prejudice, I confess, may warp our judgments. Let us hear the decisions<sup>o</sup> of Englishmen who cannot be suspected of partiality: "The Americans," they say, "are but little short of half our number. To this number they have grown from a small body of settlers by a very rapid increase. The probability is that they will go on to increase, and that in fifty or sixty years they will be double our number and form a mighty empire, consisting of a variety of states, all equal or superior to ourselves in all the arts and accomplishments which give dignity and happiness to human life. In that period will they be still bound to acknowledge that supremacy over them which we now claim? Can there be any person who will assert this or whose mind does not revolt at the idea of a vast continent, holding all that is valuable to it, at the discretion of a handful of people on the other side of the Atlantic? But if at that period this would be unreasonable, what makes it otherwise now? Draw the line if you can. But there is still a greater difficulty.

"Britain is now, I will suppose, the seat of liberty and virtue, and its legislature consists of a body of able and independent men, who govern with wisdom and justice. The time may come when all will be reversed; when its excellent constitution of government will be subverted; when, pressed by debts and

taxes, it will be greedy to draw to itself an increase of revenue from every distant province, in order to ease its own burthens ; when the influence of the crown, strengthened by luxury and by an universal profligacy of manners, will have tainted every heart, broken down every fence of liberty, and rendered us a nation of tame and contented vassals ; when a general election will be nothing but a general auction of boroughs, and when the Parliament, the grand council of the nation, and once the faithful guardian of the state and a terror to evil ministers, will be degenerated into a body of sycophants, dependent and venal, always ready to confirm any measures, and little more than a public court for registering royal edicts. Such, it is possible, may sometime or other be the state of Great Britain. What will at that period be the duty of the colonies ? Will they be still bound to unconditional submission ? Must they always continue an appendage to our government, and follow it implicitly through every change that can happen to it ? Wretched condition, indeed, of millions of freemen as good as ourselves ! Will you say that we now govern equitably and that there is no danger of such revolution ? Would to God that this were true ! But will you not always say the same ? Who shall judge whether we govern equitably or not ? Can you give the colonies any security that such a period will never come ? ” No ! *The period, countrymen, is already come !* The calamities were at our door. The rod of oppression was raised over us. We were roused from our slumbers, and may we never sink into repose until we can convey a clear and undisputed inheritance to our posterity. This day we are called upon to give a glorious example of what the wisest and best of men were rejoiced to view only in speculation.<sup>o</sup> This day presents the world with the most august spectacle its annals have ever unfolded — millions of freemen deliberately and voluntarily forming themselves into a society for their common defence and common happiness. Immortal spirits of Hampden, Locke, and Sidney ! will it not

add to your benevolent joys to behold your posterity rising to the dignity of men, and evincing to the world the reality and expediency of your systems, and in the actual enjoyment of that equal liberty which you were happy, when on earth, in delineating and recommending to mankind !

Other nations have received their laws from conquerors ; some are indebted for a constitution to the sufferings of their ancestors through revolving centuries. The people of this country alone have formally and deliberately chosen a government for themselves, and with open and uninfluenced consent bound themselves to a social compact. Here no man proclaims his birth or wealth as a title to honorable distinction or to sanctify ignorance and vice with the name of hereditary authority. He who has most zeal and ability to promote public felicity, let him be the servant of the public. This is the only line of distinction drawn by nature. Leave the bird of night to the obscurity for which nature intended him, and expect only from the eagle to burst the clouds with his wings and look boldly in the face of the sun.

Some who would persuade us that they have tender feelings for future generations, while they are insensible to the happiness of the present, are perpetually foreboding a train of dissensions under our popular system. Such men's reasoning amounts to this : give up all that is valuable to Great Britain, and then you will have no inducements to quarrel among yourselves ; or suffer yourselves to be chained down by your enemies, that you may not be able to fight with your friends.

This is an insult on your virtue as well as your common sense. Your unanimity this day and through the course of the war is a decisive refutation of such invidious predictions. Our enemies have already had evidence that our present constitution<sup>o</sup> contains in it the justice and ardor of freedom, and the wisdom and vigor of the most absolute system. When the law is the will of the people, it will be uniform and coherent ;

but fluctuation, contradiction, and inconsistency of councils must be expected under those governments where every revolution in the ministry of a court produces one in the state. Such being the folly and pride of all ministers, that they ever pursue measures directly opposite to those of their predecessors.

We shall neither be exposed to the necessary convulsions of elective monarchies, nor to the want of wisdom, fortitude, and virtue to which hereditary succession is liable. In your hands it will be to perpetuate a prudent, active, and just legislature, which will never expire until you yourselves lose the virtues which give it existence.

And, brethren and fellow-countrymen, if it was ever granted to mortals to trace the designs of Providence, and interpret its manifestations in favor of their cause, we may, with humility of soul, cry out "Not unto us, not unto us, but to thy Name be the praise." The confusion of the devices among our enemies, and the rage of the elements against them, have done almost as much toward our success as either our councils or our arms.

The time at which this attempt on our liberties was made, when we were ripened into maturity, had acquired a knowledge of war, and were free from the incursions of enemies in this country, the gradual advances of our oppressor, enabling us to prepare for our defence, the unusual fertility of our lands and the clemency of the seasons, the success which at first attended our feeble arms, producing unanimity among our friends, and reducing our internal foes to acquiescence — these are all strong and palpable marks and assurances, that Providence is yet gracious unto Zion, that it will turn away the captivity of Jacob.

Our ° glorious reformers, when they broke through the fetters of superstition, effected more than could be expected from an age so darkened. But they left much to be done by their posterity. They lopped off, indeed, some of the branches

of popery, but they left the root and stock when they left us under the domination of human systems and decisions, usurping the infallibility which can be attributed to revelation only. They dethroned one usurper only to raise up another. They refused allegiance to the Pope, only to place the civil magistrate in the throne of Christ, vested with authority to enact laws, and inflict penalties in his kingdom. And if we now cast our eyes over the nations of the earth, we shall find that instead of possessing the pure religion of the Gospel, they may be divided either into infidels, who deny the truth, or politicians, who make religion a stalking horse for their ambition, or professors, who walk in the trammels of orthodoxy, and are more attentive to traditions and ordinances of men than to the oracles of truth.

The civil magistrate has everywhere contaminated religion by making it an engine of policy ; and freedom of thought and the right of private judgment, in matters of conscience driven from every other corner of the earth, direct their course to this happy country as their last asylum. Let us cherish the noble guests, and shelter them under the wings of an universal toleration. Be this the seat of unbounded religious freedom. She will bring with her in her train, industry, wisdom, and commerce. She thrives most when left to shoot forth in her natural luxuriance, and asks from human policy only not to be checked in her growth by artificial encouragements.

Thus, by the beneficence of Providence, we shall behold our empire arising, founded on justice and the voluntary consent of the people, and giving full exercise of those faculties and rights which most ennoble our species. Besides the advantages of liberty and the most equal constitution, heaven has given us a country with every variety of climate and soil, pouring forth in abundance whatever is necessary for the support, comfort, and strength of a nation. Within our own borders we possess all the means of sustenance, defence, and commerce ; at the

same time, these advantages are so distributed among the different states of this continent, as if nature had in view to proclaim to us!—be united among yourselves, and you will want ° nothing from the rest of the world.

The more Northern States most amply supply us with every necessary, and many of the luxuries of life: with iron, timber, and masts for ships of commerce or of war; with flax for the manufactory of linen, and seed either for oil or exportation.

So abundant are our harvests that almost every part raised more than double the quantity of grain requisite for the support of its inhabitants. From Georgia to the Carolinas we have, as well for our own wants as for the purpose of supplying the wants of other powers, indigo, rice, hemp, naval stores, and lumber.

Virginia and Maryland teem with wheat, Indian corn, and tobacco. Every nation whose harvest is precarious, or whose lands yield not those commodities which we cultivate, will gladly exchange their superfluities and manufactures for ours.

We have already received many and larger cargoes of clothing, military stores, etc., from our commerce with foreign powers, and, in spite of the efforts of the boasted navy of England, we shall continue to profit ° by this connection.

The want of our naval stores has already increased the price of these articles to a great height, especially in Britain. Without our lumber, it will be impossible for those haughty islanders to convey the products of the West Indies to their own ports; for a while they may with difficulty effect it, but without our assistance their resources must soon fail. Indeed, the West India Islands appear as the necessary appendages to this our empire. They must owe their support to it, and erelong, I doubt not, some of them will from necessity wish to enjoy the benefit of our protection. °

These natural advantages will enable us to remain independent of the world, or make it the interest of European powers to court our alliance and aid in protecting us against the inva-

sions of others. What argument, therefore, do we want to show the equity of our conduct ; or motive of interest to recommend it to our prudence ? Nature points out the path, and our enemies have obliged us to pursue it.

If there is any man so base or so weak as to prefer a dependence on Great Britain, to the dignity and happiness of living a member of a free and independent nation, let me tell him that necessity now demands what the generous principle of patriotism should have dictated.

We have now no other alternative than independence, or the most ignominious and galling servitude. The legions of our enemies thicken on our plains ; desolation and death mark their bloody career ; whilst the mangled corpses of our countrymen seem to cry out to us as a voice from heaven : “ Will you permit our posterity to groan under the galling chains of our murderers ? Has our blood been expended in vain ? Is the only reward which our constancy till death has obtained for our country, that it should be sunk into a deeper and more ignominious vassalage ? Recollect who are the men that demand your submission ; to whose decrees you are invited to pay obedience. Men who, unmindful of their relation to you as brethren, of your long implicit submission to their laws, of the sacrifice which you and your forefathers made of your natural advantages for commerce to their avarice — formed a deliberate plan to wrest from you the small pittance of property which they had permitted you to acquire. Remember that the men who wish to rule over you are they who, in pursuit of this plan of despotism, annulled the sacred contracts which had been made with your ancestors ; conveyed into your cities a mercenary soldiery to compel you to submission by insult and murder — who called your patience, cowardice ; your piety, hypocrisy.”

Countrymen, the men who now invite you to surrender your rights into their hands, are the men who have let loose the merciless savages to riot in the blood of their brethren ; who

have dared to establish popery triumphant in our land; who have taught treachery to your slaves, and courted them to assassinate your wives and children.

These are the men ° to whom we are exhorted to sacrifice the blessings which Providence holds out to us, — the happiness, the dignity of uncontrolled freedom and independence.

Let not your generous indignation be directed against any among us, who may advise so absurd and maddening a measure. Their number is but few and daily decreases; and the spirit which can render them patient of slavery, will render them contemptible enemies.

Our Union is now complete; our Constitution composed, established, and approved. You are now the guardians of your own liberties. We may justly address you as the Decemviri did the Romans, and say: "Nothing that we propose can pass into a law without your consent. Be yourselves, O Americans, the authors of those laws on which your happiness depends."

You have now in the field armies sufficient to repel the whole force of your enemies and their base and mercenary auxiliaries.° The hearts of your soldiers beat high with the spirit of freedom; they are animated with the justice of their cause; and while they grasp their swords, can look up to heaven for assistance. Your adversaries are composed of wretches who laugh at the rights of humanity, who turn religion into derision, and would for higher wages direct their swords against their leaders or their country. Go on then, in your generous enterprise, with gratitude to heaven for past success and confidence of it in the future. For my own part, I ask no greater blessing than to share with you the common danger and common glory. If I have a wish dearer to my soul than that my ashes may be mingled with those of a Warren or a Montgomery, it is that these American States may never cease to be *free and independent!*



# ALEXANDER HAMILTON

1757-1804

ALEXANDER HAMILTON was a native of the West Indies. He was, as a lad, brought to the American shore, and received his training at King's (now Columbia) College. He was successively soldier and statesman, and everywhere he did worthy service. As a soldier he was brave and cool ; but this was not his particular field. In statecraft he excelled ; and it is to him that this country is indebted for much that is valuable in her constitution, and for almost all of her financial policy.

His speeches, of which the most famous is here given, show his direct and forceful manner, and the convincing quality of his utterance due, perhaps, to his keen perception of conditions and consequences, as much as to his quietly, insistent speech.

Foreigners class Hamilton as our greatest statesman.

## ON THE FEDERAL CONSTITUTION

1788 °

This is one of those subjects, Mr. Chairman, on which objections very naturally arise and assume the most plausible shape. Its address is to the passions, and its impressions create a prejudice before cool examination has an opportunity for exertion. It is more easy for the human mind to calculate

the evils than the advantages of a measure, and vastly more natural to apprehend the danger than to see the necessity of giving powers to our rulers. Hence, I may justly expect that those who hear me will place less confidence in those arguments which oppose than in those which favor their prepossessions.

After all our doubts, our suspicions and speculations on the subject of government, we must return at last to this important truth — that when we have formed a constitution upon free principles, when we have given a proper balance to the different branches of the administration, and fixed representation upon pure and equal principles, we may, with safety, furnish it with all the powers necessary to answer in the most ample manner the purposes of government. The great desiderata<sup>o</sup> are a free representation and mutual checks. When these are obtained, all our apprehensions of the extent of powers are unjust and imaginary. What, then, is the structure of this Constitution? One branch of the legislature is to be elected by the people — by the same people who choose your State representatives. Its members are to hold their office two years, and then return to their constituents. Here, Sir, the people govern; here they act by their immediate representatives. You have also a Senate, constituted by your State legislatures — by men in whom you place the highest confidence and forming another representative branch. Then again you have an executive magistrate, created by a form of election which merits universal admiration. In the form of this government, and in the mode of legislation, you find all the checks which the greatest politicians and the best writers have ever conceived. What more can reasonable men desire? Is there any one branch in which the whole legislative and executive powers are lodged? No. The legislative authority is lodged in three distinct branches, properly balanced; the executive authority is divided between two branches; and the judicial is still reserved

for an independent body, who hold their offices during good behavior. This organization is so complex, so skilfully contrived, that it is next to impossible that an impolitic or wicked measure should pass the great scrutiny with success. Now what do gentlemen mean by coming forward and declaiming against this government? Why do they say we ought to limit its powers, to disable it, and to destroy its capacity of blessing the people? Has philosophy suggested, has experience taught that such a government ought not to be trusted with everything necessary for the good of society? Sir, when you have divided and nicely balanced the departments of government; when you have strongly connected the virtue of your rulers with their interest; when, in short, you have rendered your system as perfect as human forms can be, you must place confidence, you must give power.

We have heard a great deal of the sword and the purse; it is said our liberties are in danger if both are possessed by Congress. Let us see what is the true meaning of this maxim, which has been so much used and so little understood. It is that you shall not place these powers in either the legislative or executive singly; neither one nor the other shall have both, because this would destroy that division of powers on which political liberty is founded, and would furnish one body with all the means of tyranny. But where the purse is lodged in one branch, and the sword in another, there can be no danger. All governments have possessed these powers; they would be monsters without them, and incapable of exertion. What is your State government? Does not your legislature command what money it pleases? Does not your executive execute the laws without restraint? These distinctions between the purse and the sword have no application to the system, but only to its separate branches. Sir, when we reason about the great interests of a great people, it is high time that we dismiss our prejudices and banish declamation.

In order to induce us to consider the powers given by this constitution as dangerous, in order to render plausible any attempt to take away the life and spirit of the most important power in government, — the gentleman complains that we shall not have a true and safe representation. I asked him what a safe representation was, and he has given no satisfactory answer. The Assembly of New York has been mentioned as a proper standard; but if we apply this standard to the general government, our Congress will become a mere mob, exposed to every irregular impulse, and subject to every breeze of faction. Can such a system afford security? Can you have confidence in such a body? The idea of taking the ratio of representation in a small society for the ratio of a great one is a fallacy which ought to be exposed. It is impossible to ascertain to what point our representation will increase; it may vary from one to two, three, or four hundred; it depends upon the progress of population. Suppose it is to rest at two hundred; is not this number sufficient to secure it against corruption? Human nature must be a much more weak and despicable thing than I apprehend it to be if two hundred of our fellow-citizens can be corrupted in two years. But suppose they are corrupted; can they in two years accomplish their designs? Can they form a combination, and even lay a foundation for a system of tyranny, in so short a period? It is far from my intention to wound the feelings of any gentleman; but I must, in this most interesting discussion, speak of things as they are, and hold up opinions in the light in which they ought to appear; and I maintain that all that has been said of corruption, of the purse and the sword, and of the danger of giving powers, is not supported by principle or fact; that it is mere verbiage and idle declamation. The true principle of government is this: make the system complete in its structure, give a perfect proportion and balance to its parts, and the powers you give it will never affect your security. The question, then, of the division of

powers between the general and state governments is a question of convenience ; it becomes a prudential inquiry what powers are proper to be reserved to the latter, and this immediately involves another inquiry into the proper objects of the two governments. This is the criterion by which we shall determine the just distribution of powers.

The great leading objects of the federal<sup>o</sup> government, in which revenue is concerned, are to maintain domestic peace and provide for the common defence. In these are comprehended the regulation of commerce ; that is, the whole system of foreign intercourse, the support of armies and navies, and of the civil administration. It is useless to go into detail. Every one knows that the objects of the general government are numerous, extensive, and important. Every one must acknowledge the necessity of giving powers in all respects, and in every degree equal to these objects. The principle assented to, let us inquire what are the objects of the State governments. Have they to provide against foreign invasion ? Have they to maintain fleets and armies ? Have they any concern in the regulation of commerce, the procuring alliances, or forming treaties of peace ? No. Their objects are merely civil and domestic : to support the legislative establishment, and to provide for the administration of the laws. Let any one compare the expense of supporting the civil list in a State with the expense of providing for the defence of the Union. The difference is almost beyond calculation. The experience of Great Britain will throw some light on this subject. In that kingdom the ordinary expenses of peace to those of war are as one to fourteen ; but there they have a monarch, with his splendid court, and an enormous civil establishment, with which we have nothing in this country to compare. If in Great Britain the expenses of war and peace are so disproportioned, how wide will be their disparity in the United States ! how infinitely wider between the general government and each individual

State ! Now, Sir, where ought the great resources to be lodged ? Every rational man will give an immediate answer. To what extent shall these resources be possessed ? Reason says, as far as possible exigencies can require ; that is, without limitation. A constitution cannot set bounds to a nation's wants ; it ought not, therefore, to set bounds to its resources. Unexpected invasions, long and ruinous wars, may demand all the possible abilities of the country. Shall not your government have power to call these abilities into action ? The contingencies of society are not reducible to calculations. They cannot be fixed or bounded even in imagination. Will you limit the means of your defence when you cannot ascertain the force or extent of the invasion ? Even in ordinary wars a government is frequently obliged to call for supplies to the temporary oppression of the people.

Sir, if we adopt the idea of exclusive revenues, we shall be obliged to fix some distinguished line which neither government shall overpass. The inconveniences of this measure must appear evident on the slightest examination. The resources appropriated to one may diminish or fail, while those of the other may increase beyond the wants of government. One may be destitute of revenues, while the other shall possess an unnecessary abundance, and the Constitution will be an eternal barrier to a mutual intercourse and relief. In this case, will the individual states stand on so good a ground as if the objects of taxation were left free and open to the embrace of both the governments ? Possibly, in the advancement of commerce, the imports may increase to such a degree as to render direct taxes unnecessary. These resources, then, as the constitution stands, may be occasionally relinquished to the States ; but on the gentleman's idea of prescribing exclusive limits and precluding all reciprocal communication, this would be entirely improper. The laws of the States must not touch the appropriated resources of the United States whatever may be their wants.

Would it not be of more advantage to the States to have a concurrent jurisdiction extending to all the sources of revenue than to be confined to such a small resource as, on calculation of the objects of the two governments, should appear to be their due proportion? Certainly you cannot hesitate on this question. The gentleman's plan would have a further ill effect: it would tend to dissolve the connection and correspondence of the two governments, to estrange them from each other, and to destroy that mutual dependence which forms the essence of union. Sir, a number of arguments have been advanced by an honorable member from New York, which, to every unclouded mind, must carry conviction. He has stated that in sudden emergencies it may be necessary to borrow, unless you have funds to pledge for the payment of your debts. Limiting the powers of the government to certain resources is rendering the fund precarious; and obliging the government to ask, instead of empowering it to command, is to destroy all confidence and credit. If the power of taxing is restricted, the consequence is that, on the breaking out of a war, you must divert the funds appropriated to the payment of debts to answer immediate exigencies. Thus you violate your engagements at the very time you increase the burden of them. Besides, sound policy condemns the practice of accumulating debts. A government, to act with energy, should have the possession of all its revenues to answer present purposes. The principle for which I contend is recognized in all its extent by our old<sup>o</sup> Constitution. Congress is authorized to raise troops, to call for supplies without limitation, and to borrow money to any amount. It is true they must use the form of recommendations and requisitions; but the States are bound by the solemn ties of honor, of justice, of religion, to comply without reserve.

Mr. Chairman, it has been advanced as a principle that no government but a despotism can exist in a very extensive country. This is a melancholy consideration indeed. If it

were founded on truth, we ought to dismiss the idea of a republican government, even for the State of New York. This idea has been taken from a celebrated writer who, by being misunderstood, has been the occasion of frequent fallacies in our reasoning on political subjects. But the position has been misapprehended, and its application is entirely false and unwarrantable. It relates only to democracies, where the whole body of the people meet to transact business and where representation is unknown. Such were a number of ancient and some modern independent cities. Men who read without attention have taken these maxims respecting the extent of country, and contrary to their proper meaning have applied them to republics in general. This application is wrong in respect to all representative governments, but especially in relation to a confederacy of States, in which the supreme legislature has only general powers, and the civil and domestic concerns of the people are regulated by the laws of the several States. This distinction being kept in view, all the difficulty will vanish, and we may easily conceive that the people of a large country may be represented as truly as those of a smaller one. An assembly constituted for general purposes may be fully competent to every federal regulation, without being too numerous for deliberate conduct. If the State governments were to be abolished, the question would wear a different face; but this idea is inadmissible. They are absolutely necessary to the system. Their existence must form a leading principle in the most perfect constitution we could form. I insist that it never can be the interest or desire of the national Legislature to destroy the State governments. It can derive no advantage from such an event; but, on the contrary, would lose an indispensable support, a necessary aid in executing the laws and conveying the influence of government to the doors of the people. The Union is dependent on the will of the State governments for its chief magistrate and for its Senate.<sup>o</sup> The blow aimed



at the members must give a fatal wound to the head, and the destruction of the States must be at once a political suicide. Can the national government be guilty of this madness? What inducements, what temptations, can they have? Will they attach new honors to their station, will they increase the national strength, will they multiply the national resources, will they make themselves more respectable in the view of foreign nations or of their fellow-citizens by robbing the States of their constitutional privileges? But imagine, for a moment, that a political frenzy should seize the government; suppose they should make the attempt; certainly, sir, it would be forever impracticable. This has been sufficiently demonstrated by reason and experience. It has been proved that the members of republics have been and ever will be stronger than the head. Let us attend to one general historical example. In the ancient feudal governments of Europe there were, in the first place, a monarch; subordinate to him a body of nobles; and subject to these, the vassals, or the whole body of the people. The authority of the kings was limited, and that of the barons considerably independent. A great part of the early wars in Europe were contests between the king and his nobility. In these contests the latter possessed many advantages derived from their influence and the immediate command they had over the people, and they generally prevailed. The history of the feudal wars exhibits little more than a series of successful encroachments on the prerogatives of monarchy. Here, sir, is one great proof of the superiority which the members in limited governments possess over their head. As long as the barons enjoyed the confidence and attachment of the people, they had the strength of the country on their side, and were irresistible. I may be told that in some instances the barons were overcome; but how did this happen? Sir, they took advantage of the depression of the royal authority, and the establishment of their own power, to oppress and tyrannize

over their vassals. As commerce enlarged, and as wealth and civilization increased, the people began to feel their own weight and consequence; they grew tired of their oppressions, united their strength with that of the prince, and threw off the yoke of aristocracy. These very instances prove what I contend for. They prove that in whatever direction the popular weight leans, the current of power will flow; wherever the popular attachments lie, there will rest the political superiority. Sir, can it be supposed that the State governments will become the oppressors of the people? Will they forfeit their affections? Will they combine to destroy the liberties and happiness of their fellow-citizens for the sole purpose of involving themselves in ruin? The idea, sir, is shocking! It outrages every feeling of humanity and every dictate of common sense.

There are certain social principles in human nature from which we may draw the most solid conclusions with respect to the conduct of individuals and communities. We love our families more than our neighbors, we love our neighbors more than our countrymen in general. The human affections, like the solar heat, lose their intensity as they depart from the centre, and become languid in proportion to the expansion of the circle on which they act. On these principles the attachment of the individual will be first and forever secured by the State governments, they will be a mutual protection and support. Another source of influence, which has already been pointed out, is the various official connections in the States. Gentlemen endeavor to evade the force of this by saying that these offices will be insignificant. This is by no means true. The State officers will ever be important, because they are necessary and useful. Their powers are such as are extremely interesting to the people; such as affect their property, their liberty, and life. What is more important than the administration of justice and the execution of the civil and criminal laws? Can the State governments become insignificant while

they have the power of raising money independently and without control? If they are really useful, if they are calculated to promote the essential interests of the people, they must have their confidence and support. The States can never lose their powers till the whole people of America are robbed of their liberties. These must go together; they must support each other or meet one common fate. On the gentlemen's principle, we may safely trust the State governments, though we have no means of resisting them; but we cannot confide in the national government, though we have an effectual constitutional guard against every encroachment. This is the essence of their argument, and it is false and fallacious beyond conception.

With regard to the jurisdiction of the two governments, I shall certainly admit that the constitution ought to be so formed as not to prevent the States from providing for their own existence; and I maintain that it is so formed, and that their power of providing for themselves is sufficiently established. This is conceded by one gentleman, and in the next breath the concession is retracted. He says Congress has but one exclusive right in taxation, — that of duties on imports; certainly, then, their other powers are only concurrent. But to take off the force of this obvious conclusion, he immediately says that the laws of the United States are supreme, and that where there is one supreme there cannot be a concurrent authority; and further, that where the laws of the Union are supreme, those of the States must be subordinate, because there cannot be two supremes. This is curious sophistry. That two supreme powers cannot act together is false. They are inconsistent only when they are aimed at each other, or at one indivisible object. The laws of the United States are supreme as to all their proper constitutional objects; the laws of the States are supreme in the same way. These supreme laws may act on different objects without clashing, or they may operate on different

parts of the same object, with perfect harmony. Suppose both governments should lay a tax of a penny on a certain article; has not each an independent and uncontrollable power to collect its own tax? The meaning of the maxim, *there cannot be two supremes*, is simply this: two powers cannot be supreme over each other. This meaning is entirely perverted by the gentlemen. But, it is said, disputes between collectors are to be referred to the federal courts. This is again wandering in the field of conjecture. But suppose the fact certain; is it not to be presumed that they will express the true meaning of the constitution and the laws? Will they not be bound to consider this concurrent jurisdiction, to declare that both the taxes shall have equal operation, that both the powers, in that respect, are sovereign and coextensive? If they transgress their duty, we are to hope that they will be punished. Sir, we can reason from probabilities alone. When we leave common sense and give ourselves up to conjecture, there can be no certainty, no security in our reasonings.

I imagine I have stated to the committee abundant reasons to prove the entire safety of the State governments and of the people. I would go into a more minute consideration of the nature of the concurrent jurisdiction and the operation of the laws in relation to revenue, but at present I feel too much indisposed to proceed. I shall, with leave of the committee, improve another opportunity of expressing to them more fully my ideas on this point. I wish the committee to remember that the constitution under examination is framed upon truly republican principles; and that, as it is expressly designed to provide for the common protection and the general welfare of the United States, it must be utterly repugnant to this constitution to subvert the State governments or oppress the people.

# GEORGE WASHINGTON

1732-1799

OF Washington it seems wholly unnecessary to give a biographical sketch ; for all that could be told in a short account of his life is familiar to every schoolboy and girl on both sides of the Atlantic. Yet a twofold explanation seems necessary at this point : first, as to the small space given to his work in this volume ; and second, as to the choice of the subjoined speech.

In the first place, Washington was not, strictly speaking, an orator. His utterance was fervid and convincing because of the speaker's sincerity of purpose and his directness. But it lacked the roundness of period, the smooth eloquence characteristic of the orator. Secondly, the Farewell Address which is so often quoted is familiar to us all, at least in part, and, besides, it was printed and circulated, but never spoken. It is a sound, critical study of the conditions of the republic in 1797, and contains much material for serious and careful consideration. But, for our present purpose, it would not be more valuable as an example of the forcefulness of utterance proceeding from conviction and sound judgment than is the First Inaugural, delivered in New York, on April 30, 1789, when the great warrior, with his characteristic modesty, accepted the office of chief executive in the new Republic.

## FIRST INAUGURAL ADDRESS

APRIL 30, 1789

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the fourteenth day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection and, in my flattering hopes, with an immutable decision, as the asylum of my declining years; a retreat which was rendered every day more necessary as well as more dear to me by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awake in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions all I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is, that if, in executing this task, I have been too much swayed by the grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens, and have thence too little consulted my incapacity as well as my disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the universe, — who presides in the councils of nations, and whose providential aids can supply every human defect, — that his benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own ; nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge the invisible Hand which conducts the affairs of men more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential<sup>o</sup> agency. And, in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities from which the event has resulted cannot be compared with the means by which most governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President “to recommend to your consideration such measures as he shall judge necessary and expedient.” The circumstances under which I now meet you will

acquit me from entering into that subject farther than to refer you to the great Constitutional Charter under which we are assembled ; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute in place of a recommendation of particular measures the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters<sup>o</sup> selected to devise and adopt them. In these honorable qualifications I behold the surest pledges that, as on one side, no local prejudices or attachments, no separate views nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests ; so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality ; and the preëminence of a free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire ; since there is no truth more thoroughly established than that there exists in the economy and course of nature, in indissoluble union between virtue and happiness, between study and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity ; since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right, which heaven itself has ordained ; and since the preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as *deeply*, perhaps as *finally*,<sup>o</sup> staked on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care it will



remain with your judgment to decide how far the exercise of the occasional power delegated by the Fifth Article<sup>o</sup> of the Constitution is rendered expedient at the present juncture by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good; for I assure myself that, whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen, and a regard for the public harmony will sufficiently influence your deliberations on the question: how far the former can be more impreguably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will therefore be as brief as possible. When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline as inapplicable to myself any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed may, during my continuation in it, be limited<sup>o</sup> to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall

take my present leave ; but not without resorting once more to that benign Parent of the human race, in humble supplication that, since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government for the security of their Union, and the advancement of their happiness ; so His divine blessing may be equally *conspicuous* in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend.

# HENRY LEE

1756-1818

HENRY LEE, familiarly known, after the Revolution as "Light-Horse Harry," was a Virginian by birth. He was graduated from Princeton in 1774, and shortly after received his commission in the Virginian cavalry. He was prominent in political and military life, especially in his own state; and the fact that he, of all the members of the Congress of 1799, was selected to deliver the eulogy at the time of the great man's death, shows that he must have been held in high esteem as an orator by his contemporaries. Posterity, however, thinks of Lee as a gallant soldier oftener than it classes him among speakers.

His sentences, as we read them, seem somewhat long, and at times a little involved. Yet there are places where even the printed page presents to us a sonorousness and power which give us an insight into the causes for his extreme popularity as a speaker. Moreover, the famous "first in war, first in peace, and first in the hearts of his countrymen" was first uttered by Lee in his eulogy; and for that sentiment alone, had it no other claims upon our attention, the following speech should live in the hearts and minds of successive generations of Americans.

## FUNERAL ORATION ON THE DEATH OF GENERAL WASHINGTON

1799

In obedience to your will,<sup>o</sup> I rise your humble organ, with the hope of executing a part of the system of public mourning which

you have been pleased to adopt, commemorative of the death of the most illustrious and most beloved personage this country has ever produced ; and which, while it transmits to posterity your sense of the awful event, faintly represents your knowledge of the consummate excellence you so cordially honor.

Desperate, indeed, is any attempt on earth to meet correspondently this dispensation of Heaven ; for, while with pious resignation we submit to the will of an all-gracious Providence, we can never cease lamenting, in our finite view of Omnipotent Wisdom, the heart-rending privation for which our nation weeps. When the civilized world shakes to its centre ; when every moment gives birth to strange and momentous changes ; when our peaceful quarter of the globe, exempt as it happily has been from any share in the slaughter of the human race, may yet be compelled to abandon her pacific policy, and to risk the doleful casualties of war ; what limit is there to the extent of our loss ? None within the reach of my words to express ; none which your feelings will not disavow.

The founder of our federate republic our bulwark in war, our guide in peace, is no more ! O that this were but questionable ! Hope, the comforter of the wretched, would pour into our agonizing hearts its balmy dew. But alas ! there is no hope for us ; our Washington is removed forever ! Possessing the stoutest frame and purest mind, he had passed nearly to his sixty-eighth year, in the enjoyment of high health, when, habituated by his care of us to neglect himself, a slight cold disregarded became inconvenient on Friday, oppressive on Saturday, and defying every medical interposition, before the morning of Sunday put an end to the best of men. An end, did I say ? His fame survives, bounded only by the limits of the earth and by the extent of the human mind. He survives in our hearts in the growing knowledge of our children, in the affection of the good throughout the world. And, when our monuments shall be done away ; when nations now

existing shall be no more ; when even our young and far-spreading empire shall have perished ; still will our Washington's glory unfaded shine, and die not until the love of virtue cease on earth, or earth itself sink into chaos.

How, my fellow-citizens, shall I single to your grateful hearts his preëminent worth ? When shall I begin in opening to your view a character throughout sublime ? Shall I speak of his warlike achievements, all springing from obedience to his country's will, all directed to his country's good ?

Will you go with me to the banks of the Monongahela to see your youthful Washington supporting in the dismal hour of Indian victory the ill-fated Braddock, and saving, by his judgment and by his valor, the remains of a defeated army, pressed by the conquering savage foe ? or when, oppressed, America nobly resolving to risk her all, in defence of her violated rights, he was elevated by the unanimous voice of Congress to the command of her armies ? Will you follow him to the high grounds of Boston, where to an undisciplined, courageous, and virtuous yeomanry, his presence gave the stability of system, and infused the invincibility of love of country ? Or shall I carry you to the painful scenes of Long Island, York Island, and New Jersey, when, combating superior and gallant armies, aided by powerful fleets, and led by chiefs high in the roll of fame, he stood the bulwark of our safety, undismayed by disaster, unchanged by change of fortune ? Or will you view him in the precarious fields of Trenton, where deep gloom, unnerving every arm, reigned triumphant through our thinned, worn down, unaided ranks, — himself unmoved ? Dreadful was the night. It was about this time of winter. The storm raged. The Delaware, rolling furiously with floating ice, forbade the approach of man. Washington, self-collected, viewed the tremendous scene. His country called. Unappalled by surrounding dangers, he passed the hostile shore ; he fought ; he conquered. The morning sun cheered

the American world. Our country rose on the event ; and her dauntless chief, pursuing his blow, completed in the lawns of Princeton what his vast soul had conceived on the shores of Delaware.

Thence to the strong grounds of Morristown he led his small but gallant band ; and through an eventful winter, by the high efforts of his genius, whose matchless force was measurable only by the growth of difficulties, he held in check formidable hostile legions, conducted by a chief experienced in the art of war, and famed for his valor on the ever-memorable Height of Abraham, where fell Wolfe, Montcalm, and, since, our much-lamented Montgomery — all covered with glory. In this fortunate interval produced by his masterly conduct, our fathers, ourselves, animated by his resistless example, rallied around our country's standard, and continued to follow her beloved chief through the various and trying scenes to which the destinies of our Union led.

Who is there that has forgotten the vales of Brandywine, the fields of Germantown, or the plains of Monmouth ? Everywhere present, wants of every kind obstructing, numerous and valiant armies encountering, himself a host, he assuaged our sufferings, limited our privations, and upheld our tottering republic. Shall I display to you the spread of the fire of his soul by rehearsing the praises of the hero of Saratoga and his much-loved compeer of the Carolinas ? No ; our Washington needs not borrowed glory. To Gates, to Greene, he gave without reserve the applause due to their eminent merit ; and long may the chiefs of Saratoga and of Eutaw receive the grateful respect of a grateful people.

Moving in his own orbit, he imparted heat and light to his most distant satellites ; and combining the physical and moral force of all within his sphere, with irresistible weight he took his course, commiserating folly, disdaining vice, dismaying treason, and invigorating despondency : until the auspicious hour arrived, when, united with the intrepid forces of a potent and

magnanimous ally, he brought to submission the since conqueror ° of India, thus finishing his long career of military glory with a lustre corresponding to his great name, and in this his last act of war affixing the seal of fate to our nation's birth.

To the horrid din of battle sweet peace succeeded ; and our virtuous chief, mindful only of the common good, in a moment tempting personal aggrandizement, hushed the discontents of growing sedition ; and, surrendering his power into the hands from which he had received it, converted his sword ° into a ploughshare, teaching an admiring world that to be truly great you must be truly good.

Were I to stop here, the picture would be incomplete, and the task imposed unfinished. Great as was our Washington in war, and as much as did that greatness contribute to produce the American republic, it is not in war alone that his preëminence stands conspicuous. His various talents, combining all the capacities of a statesman with those of a soldier, fitted him alike to guide the councils and the armies of our nation. Scarcely had he rested from his martial toils, while his invaluable parental advice was still sounding in our ears, when he, who had been our shield and our sword, was called forth to act a less splendid, but more important, part.

Possessing a clear and penetrating mind, a strong and sound judgment, calmness and temper for deliberation, with invincible firmness and perseverance in resolutions maturely formed : drawing information from all ; acting from himself with incorruptible integrity and unvarying patriotism ; his own superiority ° and the public confidence alike marked him as the man designed by Heaven to lead in the great political as well as military events which have distinguished the era of his life.

The finger of an overruling Providence, pointing at Washington, was neither mistaken nor unobserved, when, to realize the vast hopes to which our revolution had given birth, a change of political system became indispensable.

How novel, how grand the spectacle ! Independent States stretched over an immense territory, and known only by common difficulty, clinging to their union as the rock of their safety ; deciding, by frank comparison of their relative condition, to rear on that rock, under the guidance of reason, a common government, through whose commanding protection, liberty and order, with their long train of blessings, should be safe to themselves, and the sure inheritance of their posterity.

This arduous task devolved on citizens selected by the people from knowledge of their wisdom and confidence in their virtue. In this august assembly of sages and of patriots, Washington of course was found ; and as if acknowledged to be most wise where all were wise, with one voice he was declared their chief. How well he merited this rare distinction, how faithful were the labors of himself and his compatriots, the work of their hands, and our union, strength, and prosperity, the fruits of that work best attest.

But to have essentially aided in presenting to his country this consummation of her hopes, neither satisfied the claims of his fellow-citizens on his talents nor those duties which the possession of those talents imposed. Heaven had not infused into his mind such an uncommon share of its ethereal spirit to remain unemployed, nor bestowed on him his genius unaccompanied with the corresponding duty of devoting it to the common good. To have framed a Constitution was showing only, without realizing, the general happiness. This great work remained to be done ; and America, steadfast in her preference, with one voice summoned her beloved Washington, unpractised as he was in the duties of civil administration, to execute this last act in the completion of the national felicity. Obedient to her call, he assumed the high office with that self-distrust peculiar to his innate modesty, the constant attendant of preëminent virtue. What was the burst of joy through our anxious land on this exhilarating event, is known to us all. The aged, the young,



the brave, the fair, rivalled each other in demonstrations of their gratitude ; and this high-wrought, delightful scene was heightened in its effect by the singular contest between the zeal of the bestowers and the avoidance of the receiver of the honors bestowed.

Commencing his administration, what heart is not charmed with the recollection of the pure and wise principles announced by himself, as the basis of his political life? He best understood the indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and individual felicity. Watching with an equal and comprehensive eye over this great assemblage of communities and interests, he laid the foundations of our national policy in the unerring, immutable principles of morality, based on religion, exemplifying the preëminence of a free government by all the attributes which win the affections of its citizens, or command the respect of the world.

“*O fortunatos nimium, sua si bona norint.*”

Leading through the complicated difficulties produced by previous obligations and conflicting interests, seconded by succeeding Houses of Congress, enlightened and patriotic, he surmounted all original obstruction, and brightened the path of our national felicity.

The presidential term expiring, his solicitude to exchange exaltation for humility returned with a force increased with increase of age ; and he had prepared his Farewell Address to his countrymen, proclaiming his intention, when the united interposition of all around him, enforced by the eventful prospects of the epoch, produced a further sacrifice of inclination to duty. The election of President followed ; and Washington was, by the unanimous vote of the nation, called to resume the chief magistracy. What a wonderful fixture of confidence ! Which attracts

most our admiration, a people so correct, or a citizen combining an assemblage of talents forbidding rivalry, and stifling even envy itself? Such a nation ought to be happy; such a chief must be forever revered.

War, long menaced by the Indian tribes, now broke out; and the terrible conflict, deluging Europe with blood, began to shed its baneful influence over our happy land. To the first, outstretching his invincible arm, under the orders of the gallant Wayne, the American eagle soared triumphant through distant forests. Peace followed victory; and the melioration of the condition of the enemy followed peace. Godlike virtue! which uplifts even the subdued savage.

To the second he opposed himself. New and delicate was the juncture, and great was the stake. Soon did his penetrating mind discern and seize the only course, continuing to us all the felicity enjoyed. He issued his proclamation of neutrality. This index to his whole subsequent conduct was sanctioned by the approbation of both Houses of Congress, and by the approving voice of the people.

To this sublime policy he inviolably adhered, unmoved by foreign intrusion, unshaken by domestic turbulence.

“*Justum et tenacem propicite virum  
Non civium ardor prava jubentium,  
Non vultus instantis tyranni,  
Mente quatit solida.*”<sup>o</sup>

Maintaining his pacific system at the expense of no duty, America, faithful to herself, and unstained in her honor, continued to enjoy the delights of peace, while afflicted Europe mourns in every quarter, under the accumulated miseries of an unexampled war — miseries in which our happy country must have shared, had not our preëminent Washington been as firm in council as he was brave in the field.

Pursuing steadfastly his course, he held safe the public hap-

piness, preventing foreign war, and quelling internal discord, till the revolving period of a third election approached, when he executed his interrupted, but inextinguishable desire of returning to the humble walks of private life.

The promulgation of his fixed resolution stopped the anxious wishes of an affectionate people from adding a third unanimous testimonial of their unabated confidence in the man so long enthroned in their hearts. Where before was affection like this exhibited on earth? Turn over the records of ancient Greece; review the annals of mighty Rome; examine the volumes of modern Europe, you search in vain. America and her Washington alone afford the dignified exemplification.

The illustrious personage, called by the national voice in succession to the arduous office of guiding a free people, had new difficulties to encounter. The amicable effort of settling our difficulties with France, begun by Washington, and pursued by his successor in virtue as in station, proving abortive, America took measures for self-defence. No sooner was the public mind roused by a prospect of danger, than every eye was turned to the friend of all, though secluded from public view, and gray in public service. The virtuous veteran,<sup>o</sup> following his plough, received the unexpected summons, with mingled emotions of indignation at the unmerited ill-treatment of his country, and of a determination once more to risk his all in her defence.

The annunciation of these feelings in his affecting letter to the President, accepting the command of the army, concludes his official conduct.

First<sup>o</sup> in war, first in peace, and first in the hearts of his countrymen, he was second to none in the humble and endearing scenes of private life. Pious, just, humane, temperate, sincere, uniform, dignified, and commanding, his example was as edifying to all around him as were the effects of that example lasting.

To his equals he was condescending, to his inferiors kind, and to the dear object of his affections exemplarily tender. Correct throughout, vice shudders in his presence, and virtue always felt his fostering hand. The purity of his private character gave effulgence to his public virtues.

His last scene comported with the tenor of his life. Although in extreme pain, not a sigh, not a groan escaped him; and with undisturbed serenity he closed his well-spent life. Such was the man America has lost! Such was the man for whom our nation mourns!

Methinks I see his august image, and hear, falling from his venerable lips, these deep-sinking words:—

“Cease, sons of America, to mourn our separation. Go on, and confirm by your wisdom the fruits of our joint councils, joint efforts, and common dangers. Reverence religion; diffuse knowledge throughout your land; patronize the arts and sciences; let liberty and order be inseparable companions; control party spirit, the bane of a free government; observe good faith to, and cultivate peace with, all nations; shut up every avenue to foreign influence; contract rather than extend national connection; rely on yourselves only; be American in thought and deed. Thus will you give immortality to that union which was the constant object of my terrestrial labors; thus will you preserve undisturbed to the latest posterity the felicity of a people to me most dear; and thus will you supply (if my happiness is now aught to you) the only vacancy in the round of pure bliss high Heaven bestows.”

## FISHER AMES

1754-1808

FISHER AMES was a sturdy New Englander in speech and in sentiment. He, like so many of the famous men of his period, was a Harvard graduate.

Ames was one of the most popular speakers of his age. In his time the flowery and pictorial quality in a public speech was more highly esteemed than in our own ; and, of the post-revolutionary speakers, none is so ornate in style as Ames. But this same tendency to ornament often produces a lack of logical sequence in statements, which is apt to be confusing — more especially so as Ames, once familiar with his theme, was apt to speak extemporaneously, and hence, in the heat of excited feeling, and under the influence of his own florid utterance, he often lost his logic. But he is a type of his times, and the appended eulogy is considered to be his master-work.

### ORATION ON WASHINGTON

It is natural that the gratitude of mankind should be drawn to their benefactors. A number of these have successively arisen, who were no less distinguished for the elevation of their virtues, than the lustre of their talents. Of those, however, who were born, and who acted through life as if they were born, not for themselves, but for their country and the whole

human race, how few, alas ! are recorded in the long annals of ages, and how wide the intervals of time and space that divide them ! In all this dreary length of way, they appear like five or six lighthouses on as many thousand miles of coast ; they gleam upon the surrounding darkness with an inextinguishable splendor, like stars seen through a mist, but they are seen like stars, to cheer, to guide, and to save. Washington is now added to that small number. Already he attracts curiosity, like a newly discovered star, whose benignant light will travel on, to the world's and time's farthest bounds. Already his name is hung up by history, as conspicuously as if it sparkled in one of the constellations of the sky.

By commemorating his death, we are called this day to yield the homage that is due to virtue ; to confess the common debt of mankind, as well as our own ; and to pronounce for posterity, now dumb, that eulogium which they will delight to echo ten years hence, when we are dumb.

I consider myself not merely in the midst of the citizens of this town, or even of the state. In idea, I gather round me the nation. In the vast and venerable congregation of the patriots of all countries, and of all enlightened men, I would, if I could, raise my voice, and speak to mankind in a strain worthy of my audience, and as elevated as my subject. But how shall I express emotions that are condemned to be mute because they are unutterable ? I felt, and I was witness, on the day when the news of his death reached us, to the throes of that grief which saddened every countenance, and wrung drops of agony from the heart. Sorrow labored for utterance, but found none. Every man looked round for the consolation of other men's tears. Gracious Heaven ! What consolation ! Each face was convulsed with sorrow for the past ; every heart shivered with despair for the future. The man who, and who alone, united all hearts, was dead — dead, at the moment when his power to do good was the greatest, and when the aspect of

the imminent public<sup>o</sup> dangers seemed more than ever to render his aid indispensable, and his loss irreparable ; *irreparable* ; for two Washingtons come not in one age.

A grief so thoughtful, so profound, so mingled with tenderness and admiration, so interwoven with our national self-love, so often revived by being diffused, is not to be expressed. You have assigned me a task that is impossible.

O if I could perform it ; if I could illustrate his principles in my discourse as he displayed them in this life ; if I could paint his virtues as he practised them ; if I could convert the fervid enthusiasm of my heart into the talent to transmit his fame, as it ought to pass, to posterity ; I should be the successful organ of your will, the minister of his virtues, and, may I dare to say, the humble partaker of his immortal glory. These are ambitious, deceiving hopes, and I reject them. For it is perhaps almost as difficult, at once with judgment and feeling, to praise great actions as to perform them. A lavish and undistinguishing eulogium is not praise ; and to discriminate such excellent qualities as were characteristic and peculiar to him, would be to raise a name, as he raised it, above envy, above parallel — perhaps, for that very reason, above emulation.

Such a portraying of character, however, must be addressed to the understanding, and therefore, even if it were well-executed, would seem to be rather an analysis of moral principles than the recital of a hero's exploits. It would rather conciliate confidence and esteem than kindle enthusiasm and admiration. It would be a picture of Washington, and, like a picture, flat as the canvas ; like a statue, cold as the marble on which he is represented ; cold, alas ! as his corpse in the ground. Ah ! how unlike the man late warm with living virtues, animated by the soul once glowing with patriotic fires ! He is gone ! The tomb hides all that the world could scarce contain, and that once was Washington, except his glory ; *that* is the rich inheritance of his country ; and his example, *that* let us en-

deavor, by delineating, to impart to mankind. Virtue will place it in her temple ; wisdom in her treasury.

Peace then to your sorrows. I have done with them. Deep as your grief is, I aim not to be pathetic. I desire less to give utterance to the feelings of this age than to the judgment of the next. Let us faithfully represent the illustrious dead, as history will paint, as posterity will behold him.

With whatever fidelity I might execute this task, I know that some would prefer a picture drawn to the imagination. They would have our Washington represented of a giant's size, and in the character of a hero of romance. They who love to wonder better than to reason, would not be satisfied with the contemplation of a great example, unless, in this exhibition, it should be so distorted into prodigy as to be both incredible and useless. Others, I hope but few, who think meanly of human nature, will deem it incredible, that even Washington should think with as much dignity and elevation as he acted ; and they will grovel in vain in the search for mean and selfish motives that could incite and sustain him to devote his life to his country.

Do not these suggestions sound in your ears like a profanation of virtue ? and, while I pronounce them, do you not feel a thrill of indignation at your hearts ? Forbear. Time never fails to bring every exalted reputation to a strict scrutiny. The world, in passing the judgment that is never to be reversed, will deny all partiality, even to the name of Washington. Let it be denied ; for its justice will confer glory.

Such a life as Washington's cannot derive honor from the circumstances of birth and education, though it throws back a lustre upon both. With an inquisitive ° mind, that always profited by the light of others, and was unclouded by passions of its own, he acquired a maturity of judgment, rare in age, unparalleled in youth. Perhaps no young man had so early laid up a life's stock of materials for solid reflection, or settled so



soon the principles and habits of his conduct. Grey experience listened to his counsels with respect ; and at a time when youth is almost privileged to be rash, Virginia committed the safety of her frontier, and ultimately the safety of America, not merely to his valor, for that would be scarcely praise ; but to his prudence.

It is not in Indian wars that heroes are celebrated ; but it is there they are formed. No enemy can be more formidable, by the craft of his ambushes, the suddenness of his onset, or the ferocity of his vengeance. The soul of Washington was thus exercised to danger ; and on the first trial, as on every other, it appeared firm in adversity, cool in action, undaunted, self-possessed. His spirit, and still more his prudence on the occasion of Braddock's defeat, diffused his name throughout America, and across the Atlantic. Even then his country viewed him with complacency as her most hopeful son.

At the peace of 1763, Great Britain, in consequence of her victories, stood in a position to prescribe her own terms. She chose, perhaps, better for us than for herself ; for, by expelling the French from Canada, we no longer feared hostile neighbors ; and we soon found just cause to be afraid of our protectors. We discerned, even then, a truth which the conduct of France has since so strongly confirmed, that there is nothing which the gratitude of weak states can give, that will satisfy strong allies for their aid, but authority. Nations that want protectors, will have masters. Our settlements, no longer checked by enemies on the frontier, rapidly increased ; and it was discovered that America was growing to a size that could defend itself.

In this, perhaps unforeseen, but at length obvious state of things, the British government conceived a jealousy of the colonies, of which, and of their intended measures of precaution, they made no secret.

Thus it happened that their foresight of the evil aggravated its symptoms and accelerated its progress. The colonists perceived

that they could not be governed, as before, by affection, and resolved that they would not be governed by force. Nobly resolved ! for had we submitted to the British claims of right, we should have had, if any, less than our ancient liberty, and held what might have been left by a worse tenure.

Our nation, like its great leader, had only to take counsel from its courage. When Washington heard the voice of his country in distress, his obedience was prompt ; and though his sacrifices were great, they cost him no effort. Neither the object nor the limits of my plan permit me to dilate on the military events of the Revolutionary War. Our history is but a transcript of his claims on our gratitude. Our hearts bear testimony that they are claims not to be satisfied. When overmatched by numbers, a fugitive with a little band of faithful soldiers, the States as much exhausted as dismayed, he explored his own undaunted heart, and found there resources to retrieve our affairs. We have seen him display as much valor as gives fame to heroes, and as consummate prudence as insures success to valor ; fearless of dangers that were personal to him ; hesitating and cautious, when they affected his country ; preferring fame before safety or repose, and duty before fame.

Rome did not owe more to Fabius than America to Washington. Our nation shares with him the singular glory of having conducted a civil war with mildness and a revolution<sup>o</sup> with order.

The event of that war seemed to crown the felicity and glory both of America and its chief. Until that contest, a great part of the civilized world had been surprisingly ignorant of the force and character, and almost of the existence, of the British Colonies. They had not retained what they knew, nor felt curiosity to know the state of thirteen wretched settlements, which vast woods enclosed, and still vaster woods divided from each other. They did not view the colonists so much as a race of people as a race of fugitives, whom want and solitude and intermixture with the savages had made barbarians. Great Britain, they

saw, was elate with her victories : Europe stood in awe of her power ; her arms made the thrones of the most powerful unsteady, and disturbed the tranquillity of their States with an agitation more extensive than an earthquake. As the giant Enceladus<sup>o</sup> is fabled to lie under Etna, and to shake the mountain when he turns his limbs, her hostility was felt to the extremities of the world. It reached to both the Indies ; in the wilds of Africa, it obstructed the commerce in slaves. The whales, finding in time of war a respite from their pursuers, could venture to sport between the tropics, and did not flee, as in peace, to hide beneath the ice fields of the polar circle.

At this time, while Great Britain wielded a force not inferior to the Roman empire under Trajan, astonished Europe beheld a feeble people, till then unknown, stand forth, and defy this giant to the combat. It was so unequal, all expected it would be short. The events of that war were so many miracles that attracted, as much, perhaps, as any war ever did, the wonder of mankind. Our final success exalted their admiration to its highest point. They allowed to Washington all that is due to transcendent virtue, and to the Americans more than is due to human nature. They considered us a race of Washingtons, and admitted that nature in America was fruitful only in prodigies. Their books and their travellers, exaggerating and distorting all their representations, assisted to establish the opinion that this is a new world, with a new order of men and things adapted to it ; that here we practise industry amidst the abundance that requires none ; that we have morals so refined that we do not need laws ; and though we have them, yet we ought to consider their execution as an insult and a wrong ; that we have virtue without weaknesses, sentiment without passions, and liberty without factions. These illusions, in spite of their absurdity and, perhaps, because they are absurd enough to have dominion over the imagination only, have been received by many of the malcontents against the governments of Europe, and induce them to emi-

grate. Such illusions are too soothing to vanity to be entirely checked in their currency among Americans. They have been pernicious, as they cherish false ideas of the rights of men and the duties of rulers. They have led the citizens to look for liberty where it is not, and to consider the government, which is its castle, as its prison.

Washington retired to Mount Vernon, and the eyes of the world followed him. He left his countrymen to their simplicity and their passions, and their glory soon departed. Europe began to be undeceived, and it seemed for a time as if, by the acquisition of independence, our citizens were disappointed. The Confederation was then the only compact made "to form a perfect union of the States, to establish justice, to insure the tranquillity, and provide for the security of the nation"; and accordingly union was a name that still commanded reverence, though not obedience. The system called justice was, in some of the states, iniquity reduced to elementary principles, and the public tranquillity was such a portentous calm as rings in deep caverns before the explosion of an earthquake. Most of the States then were, in fact, though not in form, unbalanced democracies. Reason, it is true, spoke audibly in their Constitutions; passion and prejudice louder in their laws. It is to the honor of Massachusetts that it is chargeable with little deviation from principles. Its adherence to them was one of the causes of a dangerous rebellion. It was scarcely possible that such governments should not be agitated by parties, and that prevailing parties should not be vindictive and unjust. Accordingly, in some of the States, creditors were treated as outlaws; bankrupts were armed with legal authority to be persecutors; and by the shock of all confidence and faith, society was shaken to its foundations. Liberty we had; but we dreaded its abuse almost as much as its loss, and the wise, who deplored the one, clearly foresaw the other.

The States were also becoming formidable to each other.

Tribute, under the name of impost, was for years levied by some of the commercial states upon their neighbors. Measures of retaliation were resorted to, and mutual recriminations had begun to whet the resentments, whose never failing progress among States is more injustice, vengeance, and war.

The peace of America hung by a thread, and factions were already sharpening their weapons to cut it. The project of three separate empires in America was beginning to be broached, and the progress of licentiousness would have soon rendered her citizens unfit for liberty in either of them. An age of blood and misery would have punished our disunion. But these were not the considerations to deter ambition from its purpose, while there were so many circumstances in our political situation to favor it.

At this awful crisis, which all the wise so much dreaded at the time, yet which appears, on a retrospect, so much more dreadful than their fears, some man was wanting who possessed a commanding power over the popular passions, but over whom those passions had no power. That man was Washington.

His name at the head of such a list of worthies as would reflect honor on any country, had its proper weight with all the enlightened, and with almost all the well-disposed among the less-informed citizens, and, blessed be God! the Constitution was adopted. Yes, to the eternal honor of America among the nations of the earth, it was adopted in spite of the obstacles which, in any other country, and perhaps in any other age *of this*, would have been unsurmountable, in spite of the doubts and fears which well-meaning prejudice creates for itself, and which *party* so artfully inflames into stubbornness; in spite of the vice which it has subjected to restraint and which is, therefore, its immortal and implacable foe; in spite of the oligarchies in some of the states, from whom it snatched dominion; it was adopted, and our country enjoys one more invaluable chance for its union and happiness; inval-

uable ! if the retrospect of the dangers we have escaped shall sufficiently inculcate the principles we have so tardily established. Perhaps multitudes are not to be taught by their fears only, without suffering much to deepen the impression ; for experience brandishes in her school a whip of scorpions, and teaches nations her summary lessons of wisdom by the scars and wounds of their adversity.

The amendments which have been projected in some of the States show that, in them at least, these lessons are not well remembered. In a confederacy of States, some powerful, others weak, the weakness of the Federal Union will sooner or later encourage, and will not restrain, the ambition and injustice of the members. The weak cannot otherwise be strong or safe but in the energy of the national government. It is this defect, which the blind jealousy of the weak states not infrequently contributes to prolong, that has proved fatal to all the confederations that ever existed.

Although it was impossible that such merit as Washington's should not produce envy, it was scarcely possible that, with such a transcendent reputation, he should have rivals. Accordingly, he was unanimously chosen President of the United States.

As a general and a patriot, the measure of his glory was already full ; there was no fame left for him to excel except his own ; and even that task, the mightiest of all his labors, his civil magistracy has accomplished.

No sooner did the new government begin its auspicious course than order seemed to arise out of confusion. The governments of Europe had seen the old Confederation sinking, squalid and pale, into the tomb, when they beheld the new American Republic rise suddenly from the ground, and, throwing off its grave clothes, exhibiting the stature and proportions of a young giant, refreshed with sleep. Commerce and industry awoke, and were cheerful at their labors ; for credit and

confidence awoke with them. Everywhere was the appearance of prosperity ; and the only fear was, that its progress was too rapid to consist with the purity and simplicity of ancient manners. The cares and labors of the President were incessant ; his exhortations, example, and authority were employed to excite zeal and activity for the public service ; able officers were selected, only for their merits ; and some of them remarkably distinguished themselves by their successful management of the public business. Government was administered with such integrity, without mystery, and in so prosperous a course that it seemed to be wholly employed in acts of beneficence. Though it has made many thousand malcontents, it has never, by its rigor or injustice, made one man wretched.

Such was the state of public affairs ; and did it not seem perfectly to insure uninterrupted harmony to the citizens ? did they not, in respect to their government and its administration, possess their whole hearts' desire ? They had seen and suffered long the want of an efficient constitution ; they had freely ratified it ; they saw Washington, their tried friend, the father of his country, invested with its powers. They knew that he could not exceed or betray them without forfeiting his own reputation. Consider, for a moment, what a reputation it was : such as no man ever before possessed by so clear a title or in so high a degree. His fame seemed in its purity to exceed even its brightness : office took honor from his acceptance, but conferred none. Ambition stood awed and darkened by his shadow. For where, through the wide earth, was the man so vain as to dispute precedence with' him ? or what were the honors that could make the possessor Washington's superior ? Refined and complex as the ideas of virtue are, even the gross could discern in his life the infinite superiority of her rewards. Mankind perceived some change in their ideas of greatness : the splendor of power, and even of the name of

conqueror had grown dim in their eyes. They did not know that Washington could augment his fame; but they knew and felt that the world's wealth, and its empire too, would be a bribe far beneath his acceptance. This is not exaggeration: never was confidence in a man and a chief magistrate more widely diffused or more solidly established.

If it had been in the nature of man that we should enjoy liberty without the agitations of party, the United States had a right, under these circumstances, to expect it; but it was impossible. Where there is no liberty they may be exempt from party. It will seem strange, but it scarcely admits a doubt, that there are fewer malcontents in Turkey than in any free state in the world. Where the people have no power, they enter into no contests, and are not anxious to know how they shall use it. The spirit of discontent becomes torpid for want of employment, and sighs itself to rest. The people sleep soundly in their chains, and do not even dream of their weight. They lose their turbulence with their energy, and become as tractable as any other animals: a state of degradation in which they extort our scorn and engage our pity for the misery they do not feel. Yet that heart is a base one, and fit only for a slave's bosom, that would not bleed freely, rather than submit to such a condition; for liberty, with all its parties and agitations, is more desirable than slavery. Who would not prefer the republics of ancient Greece when liberty once subsisted in its excess, its delirium, terrible in its charms, and glistening to the last with the blaze of the very fire that consumed it?

I do not know that I ought, but I am very sure that I do prefer those republics to the dozing slavery of modern Greece, where the degraded wretches have suffered scorn till they merit it; where they tread on classic ground, on the ashes of heroes and patriots, unconscious of their ancestry, ignorant of the nature, and almost of the name of liberty, and insensible even to the passion for it. Who, on this contrast, can forbear to



say, it is the modern Greece that lies buried, that sleeps forgotten in the caves of Turkish darkness? It is the ancient Greece that lives in remembrance, that is still bright with glory, still fresh in immortal<sup>o</sup> youth. They are unworthy of liberty who entertain a less exalted idea of its excellence. The misfortune is, that those who profess to be its most passionate admirers have, generally, the least comprehension of its hazards and impediments; they expect that an enthusiastic admiration of its nature will reconcile the multitude to the irksomeness of its restraints. Delusive expectation! Washington was not thus deluded. We have his solemn warning against the often fatal propensities of liberty. He had reflected that men are often false to their country and their honor, false to duty and even to their interest; but multitudes of men are never long false or deaf to their passions; these will find obstacles in the laws, associates in party. The fellowships thus formed are more intimate, and impose commands more imperious, than those of society.

Thus party forms a state within the state, and is animated by a rivalry, fear, and hatred of its superior. When this happens, the merits of the government will become fresh provocations and offences, for they are the merits of an enemy. No wonder then, that as soon as party found the virtue and glory of Washington were obstacles, the attempt was made, by calumny, to surmount them both. For this, the greatest of all his trials, we know that he was prepared. He knew that the government must possess sufficient strength from within or without, or fall a victim to faction. This interior strength was plainly inadequate to its defence, unless it could be reënforced from without by the zeal and patriotism of the citizens; and this latter resource was certainly as accessible to President Washington as to any chief magistrate that ever lived. The life of the Federal Government, he considered, was the breath of the people's nostrils; whenever they should happen to be so

infatuated or inflamed as to abandon its defence, its end must be as speedy, and might be as tragical, as a constitution for France.

While the President was thus administering the government, in so wise and just a manner as to engage the great majority of the unlightened and virtuous citizens to coöperate with him for its support, and while he indulged the hope that time and habit were confirming their attachment, the French revolution had reached that point in its progress, when its terrible principles began to agitate all civilized nations. I will not, on this occasion, detain you to express, though my thoughts teem with it, my deep abhorrence of that revolution ; its despotism, by the mob or the military from the first, and its hypocrisy of morals to the last. Scenes have passed there which exceed description, and which, for other reasons, I will not attempt to describe ; for it would not be possible, even at this distance of time, and with the sea between us and France, to go through with a recital of them, without perceiving horror gather, like a frost, about the heart, and almost stop its pulse. That revolution has been constant in nothing but its vicissitudes, and its promises, always delusive but always renewed, to establish philosophy by crimes and liberty by the sword. The people of France, if they are not like the modern Greeks, find their cap of liberty is a soldier's helmet ; and, with all their imitation of dictators and consuls, their exactest similitude to these Roman ornaments is in their chains. The nations of Europe perceive another resemblance in their all-conquering ambition.

But it is only the influence of that event on America, and on the measures of the President, that belongs to my subject. It would be ungratefully wrong to his character to be silent in respect to a part of it which has the most signally illustrated his virtues.

The genuine character of that revolution is not even yet so well understood as the dictates of self-preservation require it

should be. The chief duty and care of all governments is to protect the rights of property and the tranquillity of society. The leaders of the French revolution, from the beginning, excited the poor against the rich: this made the rich poor, but it will never make the poor rich.<sup>o</sup> On the contrary, they were used only as blind instruments to make those leaders masters, first of the adverse party, and then of the state. Thus the powers of the state were turned round into a direction exactly contrary to the proper one, not to preserve tranquillity and restrain violence, but to excite violence by the lure of power and plunder and vengeance. Thus all France has been, and still is, as much the prize of the ruling party as a captured ship; and if any right or possession has escaped confiscation, there is none that has not been liable to it.

Thus it clearly appears that, in its origin, its character, and its means, the government of that country is revolutionary; that is, not only different from, but directly contrary to, every regular and well-ordered society. It is a danger similar in its kind, and at least equal in degree, to that with which ancient Rome menaced her enemies. The allies of Rome were slaves; and it cost some hundred years' efforts of her policy and arms to make her enemies her allies. Nations, at this day, can trust no better to treaties; they cannot even trust to arms, unless they are used with a spirit and perseverance becoming the magnitude of their danger. For the French revolution has been, from the first, hostile to all right and justice, to all peace and order in society, and therefore its every existence has been a state of warfare against the civilized world, and most of all against free and orderly republics. For such are never without factions, ready to be the allies of France, and to aid her in the work of destruction. Accordingly, scarcely any but republics have they subverted. Such governments, by showing in practise what republican liberty is, detect French imposture, and show what their prettexts are *not*.

To subvert them, therefore, they had besides the facility that faction affords, the double excitement of removing a reproach, and converting their greatest obstacles into their most efficient auxiliaries.

Who, then, on careful reflection, will be surprised that the French and their partisans instantly conceived the desire, and made the most powerful attempts to revolutionize the American government? But it will hereafter seem strange that their excesses should be excused as the effects of a struggle for liberty, and that so many of our citizens should be flattered, while they were insulted, with the idea that our example was copied, and our principles pursued. Nothing was ever more false or more fascinating. Our liberty depends on our education, our laws, and habits, to which even prejudices yield; on the dispersion of our people on farms, and on the almost equal diffusion of property; it is founded on morals and religion, whose authority reigns in the heart, and on the influence all these produce on public opinion, before *that* opinion governs rulers. *Here* liberty is restraint, *there* it is violence; *here* it is mild and cheering, like the morning sun of our summer, brightening the hills and making the valleys green; *there* it is like the sun when his rays dart pestilence on the sands of Africa. American liberty calms and restrains the licentious passions, like an angel that says to the winds and troubled seas, Be still. But how has French licentiousness appeared to the wretched citizens of Switzerland and Venice? Do not their haunted imaginations, even when they wake, present her as a monster, with eyes that flash wild fire, hands that hurl thunder-bolts, a voice that shakes the foundations of the hills? She stands, and her ambition measures the earth; she speaks, and an epidemic fury seizes the nations.

Experience is lost upon us, if we deny that it had seized a large part of the American nation. It is as sober and intelligent, as free and as worthy to be free, as any in the world;

yet, like all other people, we have passions and prejudices, and they had received a violent impulse which, for a time, misled us.

Jacobinism<sup>o</sup> had become here, as in France, rather a sect than a party, inspiring a fanaticism that was equally intolerant and contagious. The delusion was general enough to be thought the voice of the people, therefore claiming authority without proof, and jealous enough to exact acquiescence without a murmur of contradiction. Some progress was made in training multitudes to be vindictive and ferocious. To them nothing seemed amiable but the revolutionary justice of Paris ; nothing terrible, but the government and justice of America. The very name of *Patriots* was claimed and applied in proportion as the citizens had alienated their hearts from America and transferred their affections to their foreign corrupter. Party discerned its intimate connection of interest with France, and consummated its profligacy by yielding to foreign influence.

The views of these allies required that this country should engage in war with Great Britain. Nothing less would give to France all the means of annoying this dreaded rival ; nothing less would insure the subjection of America as a satellite to the ambition of France ; nothing else could make a revolution here perfectly inevitable.

For this end, the minds of the citizens were artfully inflamed, and the moment was watched and impatiently waited for, when their long-heated passions should be in fusion, to pour them forth, like the lava of a volcano, to blacken and consume the peace and government of our country.

The systematic operations of a faction under foreign influence had begun to appear, and were successively pursued in a manner too deeply alarming to be soon forgotten. Who of us does not remember this worst of evils in this worst of ways ? Shame would forget, if it could, that in one of the States amendments were proposed to break down the federal Senate, which, as in the State governments, is the great bulwark of the public order.

To break down another, an extravagant judiciary power was claimed for States. In another State a rebellion was fomented by the agent of France; and who, without fresh indignation, can remember that the powers of government were openly usurped — troops levied and ships fitted out to fight for her? Nor can any true friend to our Government consider, without dread, that soon afterward the treaty-making power was boldly challenged for a branch of the government, from which the Constitution has wisely withholden<sup>o</sup> it.

I am oppressed and know not how to proceed with my subject. Washington — blessed be God! who endued him with wisdom and clothed him with power — Washington issued his proclamation of neutrality, and at an early period arrested the intrigues of France and the passions of his countrymen on the very edge of the precipice of war and revolution.

This act of firmness, at the hazard of his reputation and peace, entitles him to the name of the first of patriots. Time was gained for the citizens to recover their virtue and good sense, and they soon recovered them. The crisis was passed, and America was saved.

You and I, most respected fellow-citizens, should be sooner tired than satisfied in recounting the particulars of this illustrious man's life!

How great he appeared while he administered the government, how much greater when he retired from it, how he accepted the chief military command under his wise and upright successor, how his life was unspotted like his fame, and how his death was worthy of his life, are so many distinct subjects of instruction, and each of them singly more than enough for an eulogium. I leave the task, however, to history and posterity; they will be faithful to it.

It is not impossible that some will affect to consider the honors paid to this great patriot by the nation as excessive, idolatrous, and degrading to free men, who are all equal. I

answer that, refusing to virtue its legitimate honors would not prevent their being lavished, in future, on any worthless and ambitious favorite. If this day's example should have its natural effect, it will be salutary. Let such honors be so conferred only when, in future, they shall be so merited ; then the public sentiment will not be misled nor the principles of a just equality corrupted. The best evidence of reputation is a man's whole life. We have now, alas ! all Washington's before us. There has scarcely appeared a really great man whose character has been more admired in his lifetime, or less correctly understood by his admirers. When it is comprehended, it is no easy task to delineate its excellencies in such a manner as to give the portrait both interest and resemblance. For it requires thought and study to understand the true ground of the superiority of his character over many others, whom he resembled in the principles of action and even in the manner of acting. But perhaps he excels all the great men that ever lived in the steadiness of his adherence to his maxims of life, and in the uniformity of all his conduct to his maxims. These maxims, though wise, were yet not so remarkable for their wisdom as for their authority over his life ; for if there were any errors in his judgment (and he discovered as few as any man), we know of no blemishes in his virtue. He was the patriot without reproach : he loved his country well enough to hold his success in serving it an ample recompense. Thus far self-love and love of country coincided ; but when his country needed sacrifices that no other man could, or perhaps would be willing to make, he did not even hesitate. This was virtue in its most exalted character. More than once he put his fame to hazard, when he had reason to think it would be sacrificed, at least in this age. Two instances cannot be denied : when the army was disbanded, and, again, when he stood, like Leonidas<sup>o</sup> at the pass of Thermopylæ, to defend our independence against France.

It is indeed almost as difficult to draw his character as the

portrait of virtue. The reasons are similar. Our ideas of moral excellence are obscure, because they are complex, and we are obliged to resort to illustrations. Washington's example is the happiest to show what virtue is ; and to delineate his character, we naturally expatiate on the beauty of virtue : much must be felt, much imagined. His preëminence is not so much to be seen in the display of any one virtue as in the possession of them all, and in the practise of the most difficult. Hereafter, therefore, his character must be studied before it will be striking ; and then it will be admitted as a model ; a precious one to a free republic !

It is no less difficult to speak of his talents. They were adapted to lead, without dazzling mankind ; and to draw forth and employ the talents of others, without being misled by them. In this he was certainly superior, that he neither mistook nor misapplied his own. His great modesty and reserve would have concealed them, if great occasions had not called them forth ; and then, as he never spoke from the affectation to shine, nor acted from any sinister motives, it is from their effects only that we are to judge of their greatness and extent. In public trusts, where men, acting conspicuously, are cautious, and in those private concerns where few conceal or resist their weaknesses, Washington was uniformly great, pursuing right conduct from right maxims. His talents were such as assist a sound judgment, and ripen with it. His prudence was consummate, and seemed to take the direction of his powers and passions ; for, as a soldier, he was more solicitous to avoid mistakes that might be fatal than to perform exploits that are brilliant ; and as a statesman, to adhere to just principles, however old, than to pursue novelties ; and therefore, in both characters, his qualities were singularly adapted to the interest, and were tried in the greatest perils of his country. His habits of inquiry were so far remarkable, that he was never satisfied with investigating, nor desisted from it, so long as he had less



than *all* the light that he could obtain upon a subject, and then he made his decision without bias.

This command over the partialities that so generally stop men short, or turn them aside in their pursuit of truth, is one of the chief causes of his unwearied course of right conduct in so many difficult scenes where every human actor must be presumed to err.

If he had strong passions, he had learned to subdue them, and to be moderate and mild. If he had weaknesses, he concealed them, which is rare ; and excluded them from the government of his temper and conduct, which is still more rare. If he loved fame, he never made improper compliances for what is called popularity. The fame he enjoyed is of the kind that will last forever ; yet it was rather the effect than the motive of his conduct. Some future Plutarch will search for a parallel to his character. Epaminondas<sup>o</sup> is perhaps the brightest name of all antiquity. Our Washington resembled him in the purity and ardor of his patriotism ; and like him, he first exalted the glory of his country. There, it is to be hoped, the parallel ends ; for Thebes fell with Epaminondas. But such comparisons cannot be pursued far without departing from the similitude. For we shall find it is as difficult to compare great men as great rivers. Some we admire for the length and rapidity of their current, and the grandeur of their cataracts ; others, for the majestic silence and fullness of their streams ; we cannot bring them together to measure the difference of their waters. The unambitious life of Washington, declining fame, yet courted by it, seemed, like the Ohio, to choose its long way through solitudes diffusing fertility ; or, like his own Potomac, widening and deepening his channel as he approaches the sea, and displaying most the usefulness and serenity of his greatness towards the end of his course. Such a citizen would do honor to any country. The constant veneration and affection of his country will show that it was worthy of such a citizen.

However his military fame may excite the wonder of mankind, it is chiefly by his civil magistracy that his example will instruct them. Great generals have arisen in all ages of the world, and perhaps most in those of despotism and darkness. In times of violence and convulsion, they rise by the force of the whirlwind high enough to ride in it, and direct the storm. Like meteors, they glare on the black clouds with a splendor that, while it dazzles and terrifies, makes nothing visible but the darkness. The fame of heroes is indeed growing vulgar; they multiply in every long war; they stand in history and thicken in their ranks, almost as undistinguished as their own soldiers.

But such a chief magistrate as Washington appears like the pole star in a clear sky, to direct the skilful statesman. His presidency will form an epoch, to be distinguished as the age of Washington. Already it assumes its high place in the political region. Like the milky way, it whitens along its allotted portion of hemisphere. The latest generations of men will survey, through the telescope of history, the space where so many virtues blend their rays, and delight to separate them into groups and distinct virtues. As the best illustration of them, the living monument, to which the first of patriots would have chosen to consign his fame, it is my earnest prayer to Heaven that our country may subsist, even to that late day, in the plenitude of its liberty and happiness, and mingle its mild glory with Washington's.

# THOMAS JEFFERSON

1743-1826

JEFFERSON was, as every American child knows, a Virginian. He was graduated from William and Mary College in 1760, and some years after became a lawyer. That he drafted the Declaration of Independence shows the depth and breadth of his ability. He was prominent not only thus, and as a president who served two terms with eminent success, but he was known as a man of deep learning as well.

The sincerity and smoothness of speech which marked his inaugural addresses, render them worthy of a place among American speeches, and of careful study on the part of students.

## FIRST INAUGURAL ADDRESS

1801°

*Friends and fellow-citizens,* — Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled, to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire. A rising nation, spread over a

wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye : when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation and humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair, did not the presence of many whom I here see, remind me that in the other high authorities provided by our Constitution, I shall find resources of wisdom, of virtue, and of zeal on which to rely under all difficulties. To you then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support, which may enable us to steer with safety the vessel ° in which we are all embarked amidst the conflicting elements of a troubled world.

During the contest of opinions through which we have passed, the animation of discussions and exertions has sometimes worn an aspect which might impose on strangers unused to think freely, and to speak and to write as they think. But this being now decided by the voice of the nation, enounced ° according to the rules of the constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle that, though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable ; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression.

Let us, then, fellow-citizens, unite with one heart and one mind ; let us restore to social intercourse that harmony and affection without which liberty, and even life itself, are but dreary things. Let us reflect that, having banished from our land that religious intolerance under which mankind so long

bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecution.

During the throes and convulsions of the ancient world, during the agonized spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more felt and feared by some, and should divide opinion as to measures of safety. But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists. If there be any among us who wish to dissolve this union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it.

I know, indeed, that some honest men have feared that a republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm on the theoretic and visionary fear that this government, the world's best hope, may by possibility want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it is the only one where every man, at the call of the law, would fly to the standard of the law; would meet invasions of public order as his own personal concern.

Sometimes, it is said, that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or have we found angels in the form of kings to govern him? Let history answer this question. Let us, then, pursue with courage and confidence our own federal and republican principle, our attachment to union and representative government.

Kindly separated by nature, and a wide ocean, from the exterminating<sup>o</sup> havoc of one quarter of the globe, too high-minded to endure the degradation of others; possessing a chosen country with room enough for all to the hundredth and thousandth generation; entertaining a dull sense of our equal right to the use of our own faculties, to the acquisition of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them, enlightened by a benign religion, professed, indeed, and practised in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man, acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and in his greater happiness hereafter. With all these blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens: a wise and frugal government which shall restrain men from injuring one another shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take<sup>o</sup> from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of this government, and consequently those which ought to shape its administration. I will compress them in the narrowest limits they will bear, stating the general principle, but not all its limitations: Equal and exact justice to all men of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-repub-

lican tendencies ; the preservation of the general government, in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad ; a jealous care of the right of election by the people, a mild and safe corrective of abuses, which are lopped by the sword of revolution, where peaceable remedies are unprovided ; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism ; a well-disciplined militia, our best reliance in peace, and for the first moments of war till regulars may relieve them ; the supremacy of the civil over the military authority ; economy in public expense that labor may be lightly burdened ; the honest payment of our debts and sacred preservation of the public faith ; encouragement of agriculture, and of commerce as its handmaid ; the diffusion of information and arraignment of all abuses at the bar of the public reason ; freedom of religion, freedom of the press, and freedom of person under the protection of the habeas corpus<sup>o</sup> ; and trial by juries impartially selected.

These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation : the wisdom of our sages and the blood of our heroes have been devoted to their attainment ; they should be the creed of our political faith, the text of civic instruction, the touchstone by which to try the services of those we trust ; and should we wander from them in error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

I repair then, fellow-citizens, to the post which you have assigned me. With experience enough in subordinate stations to know the difficulties of this, the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and the favor which bring him into it. Without pretensions to that

high confidence you reposed in our first and greatest revolutionary character, whose preëminent services had entitled him to the first place in his country's love, and had destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong through defect of judgment; when right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my errors, which will never be intentional; and your support against the errors of others, who may condemn what they would not, if seen in all its parts.

The approbation implied by your suffrage is a great consolation to me for the past; and my future solicitude will be to retain the good opinion of those who have bestowed it in advance to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all. Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choice it is in your power to make. And may that infinite Power which rules the destinies of the universe lead our councils to what is best and give them a favorable issue for your peace and prosperity.



## GOUVERNEUR MORRIS

1752-1816

THE subject of this sketch was a native of New York, and as such was intimately connected with her political development. He was graduated from King's (now Columbia) College in 1768, and even then won some recognition for his fluency and power of speech. He studied law, at that time the profession chosen by young men who were gifted with oratorical power; and in his subsequent orations, the plaudits of his hearers were as constant and resounding as they had been over his maiden effort.

Mr. Morris did signal service in the Congresses from 1775 to 1803, when he retired from active participation in political affairs, passing the remainder of his life on his estate in Morrisania.

The fervid tone of his work may be gleaned from the short oration which is here given. This was chosen because, though brief, it is a fair example of his work; and because it exemplifies the whole range of the Hamiltonian literature produced by the death of Hamilton. From Boston to Savannah they lauded and mourned him; but none more sincerely and respectfully than Gouverneur Morris, his friend and co-worker in the interests of the young republic.

## ORATION ON HAMILTON

July 14, 1804

If on this sad, this solemn occasion, I should endeavour to move your commiseration, I would be doing injustice to that sensibility which has been so generally and so justly manifested. Far from attempting to excite your emotions, I must try to repress my own ; and yet, I fear that instead of the language of a public speaker you will hear only the lamentations of a wailing friend. But I will struggle, with my bursting heart, to portray that heroic spirit which has flown to the mansions of bliss.

Students of Columbia,<sup>o</sup> he was in the ardent pursuit of knowledge in your academic shades when the first sound of the American war called him to the field. A young and unprotected<sup>o</sup> volunteer, such was his zeal, and so brilliant his service, that we heard his name before we knew his person. It seemed as if God had called him suddenly into existence, that he might assist to save a world.

The penetrating eye of Washington soon perceived the manly spirit which animated his youthful bosom. By that excellent judge of men he was selected as an aid, and thus he became early acquainted with and was the principal actor in the more important scenes of our revolution. At the siege of York,<sup>o</sup> he pertinaciously insisted on and he obtained the command of a forlorn hope. He stormed the redoubt ; but let it be recorded that not one single man of the enemy perished. His gallant troops, emulating the heroism of their chief, checked the uplifted arm, and spared a foe no longer resisting. Here closed his military career.

Shortly after the war, your favor, no, your discernment—called him to public office. You sent him to the convention at Philadelphia ; he there assisted in forming that constitution, which is now the bond of our union, the shield of our defence,

and the source of our prosperity. In signing the compact, he expressed his apprehension that it did not contain sufficient means of strength for its own preservation ; and that in consequence we should share the fate of many other republics, and pass through anarchy to despotism. We hoped better things. We confided in the good sense of the American people ; and, above all, we trusted in the protecting providence of the Almighty. On this important subject he never concealed his opinion. He disdained concealment. Knowing the purity of his heart, he bore it as it were in his hand, exposing to every passenger its inmost recesses. This generous indiscretion subjected him to censure from misrepresentation. His speculative opinions were treated as deliberate designs ; and yet you all know how strenuous, how unremitting were his efforts to establish and to preserve the constitution ! If, then, his opinion was wrong, pardon, O pardon ! that single error in a life devoted to your service.

At the time when our government was organized, we were without funds, though not without resources. To call them into action, and establish order in the finances, Washington sought for splendid talents, for extensive information, and, above all, he sought for sterling, incorruptible integrity. All these he found in Hamilton. The system then adopted has been the subject of much animadversion. If it be not without a fault, let it be remembered that nothing human is perfect. Recollect the circumstances of the moment, recollect the conflict of opinion, and, above all, remember that a minister of a republic must bend to the will of the people. The administration which Washington formed was one of the most efficient, one of the best that any country was ever blest with. And the result was a rapid advance in power and prosperity, of which there is no example in any other age or nation. The part which Hamilton<sup>o</sup> bore is universally known.

His unsuspecting confidence in professions which he believed

to be sincere, led him to trust too much to the undeserving. This exposed him to misrepresentation. He felt himself obliged to resign. The care of a rising family and the narrowness of his fortune made it a duty to return to his profession for their support. But though he was compelled to abandon public life, never, no, never for a moment did he abandon the public service. He never lost sight of your interests. I declare to you, before that God in whose presence we are now especially assembled, that in his most private and confidential conversations, the single objects of discussion and consideration were your freedom and happiness. You well remember the state of things which again called forth Washington from his retreat to lead your armies. You know that he asked for Hamilton to be his second in command. That venerable sage well knew the dangerous incidents of a military profession, and he felt the hand of time pinching life at its source. It was probable that he would soon be removed from the scene, and that his second would succeed to the command. He knew by experience the importance of that place, and he thought the sword of America might safely be confided to the hand which now lies cold in that coffin. O my fellow-citizens, remember this solemn testimonial that he was not ambitious. Yet he was charged with ambition; and, wounded by the imputation, when he laid down his command he declared in the proud independence of his soul that he would never accept of any office, unless in a foreign war he should be called on to expose his life in defence of his country. This determination was immovable. It was his fault that his opinions and his resolutions could not be changed. Knowing his own firm purpose, he was indignant at the charge that he sought for place or power. He was ambitious only for glory, but he was deeply solicitous for you. For himself he feared nothing; but he feared that bad men might, by false professions, acquire your confidence and abuse it to your ruin.

Brethren of the Cincinnati,<sup>o</sup> there lies our chief! Let him still be our model. Like him, after long and faithful public services, let us cheerfully perform the social duties of private life. Oh! he was mild and gentle. In him there was no offence, no guile. His generous hand and heart were open to all.

Gentlemen of the bar, you have lost your brightest ornament. Cherish and imitate his example. While like him with justifiable and with laudable zeal you pursue the interests of your clients, remember like him the eternal principle of justice.

Fellow-citizens, you have long witnessed his professional conduct and felt his unrivalled eloquence. You know how well he performed the duties of a citizen; you know that he never courted your favor by adulation or the sacrifice of his own judgment. You have seen him contending against you, and saving your dearest interests, as it were, in spite of yourselves. And you now feel and enjoy the benefits resulting from the firm energy of his conduct. Bear this testimony to the memory of my departed friend. I charge you to protect his fame. It is all<sup>o</sup> he has left—all that these poor orphan children will inherit from their father.<sup>o</sup> But, my countrymen, that fame may be a rich treasure to you also. Let it be the test by which to examine those who solicit your favor. Disregarding professions, view their conduct, and on a doubtful occasion ask, Would Hamilton have done this thing?

You all know how he perished. On this last scene I cannot, I must not dwell. It might excite emotions too strong for your better judgment. Suffer not your indignation to lead to any act which might again offend the insulted majesty of the laws. On his part, as from his lips, though with my own voice,—for his voice you will hear no more,—let me entreat you to respect<sup>o</sup> yourselves.

And now, ye ministers of the everlasting God, perform your holy office, and commit these ashes of our departed brother to the bosom of the grave.

# EDMUND RANDOLPH

1753-1812

RANDOLPH, the son of royalist Virginians, was an ardent young patriot in the revolutionary days ; and bore his part in field and council, serving under Washington and being one of the Convention of 1788. Indeed, it was here that he displayed such marked ability as to merit unusual praise.

In his capacity as a lawyer, he became counsel for Aaron Burr in 1807, and it was due to his masterly presentation of the case that his client was acquitted.

The famous denunciation of Burr by William Wirt (State's counsel) is full of rhetorical flights, likely to mislead a jury of ordinary men. But Randolph's summing up, here given, presents us a direct and simple statement of facts and authorities which it would be impossible to misconstrue ; therefore, it is submitted for the student's careful consideration as a model.

## IN DEFENCE OF AARON BURR

1807

The little fragment of time that is left for me, may it please your honors, I shall not abuse. . . . I do not mean to pass through the long series of authorities to which reference has been had ; but I shall endeavor to place the subject in such a clear point of view that our object cannot be misunderstood.

We have been charged with attempting to exclude further testimony and thereby encroaching on the sacred rights of the jury. Courts have their rights, and juries have theirs. They are capable of being reconciled, for they are bodies of the same system. But although the court has no right to dictate the motion of the jury, it has a right to restrain them within their proper orbits. They are brethren in the administration of justice, not rivals in power; and if I were permitted to draw an analogy, I would say that the court is the father of the judicial family; that both are essential to administer justice according to law. This the court is bound to enforce, and this the jury are bound to obey.

Why should they complain? Because, say gentlemen, we suppress testimony. How do we suppress testimony? They have a *carte blanche*,<sup>o</sup> and they are at liberty to suppose every other evidence except what they know does not exist, *i.e.*, the presence of Mr. Burr, and that actual force was employed. They may, if they can, prove everything short of these things. Have not gentlemen seized these with great eagerness? They have kept their eyes on the court, but alarmed the ears of the jury. They have professed to talk in the abstract, but have described with a pencil, whose strokes, dark as Erebus,<sup>o</sup> and intended similitude and application, could not be mistaken. They have thrown, with rhetorical magic, into the caldron of public opinion, already overboiling, poisonous ingredients to the ruin of Colonel Burr. We wage an unequal war; an individual against the whole power and influence of the United States. We have to defend ourselves but with law and fact. Only permit us, if you please, to come with this dreadful disparity (for *thus* we have to contend) even when clothed with the mail of innocence. We ask for the benefit of the law. Why should we be upbraided for asking no more than the law has given us? That we must have. There is not a power on earth that can refuse us what the law gives. It is a privilege given, for good

reasons, as a check to prevent the danger of perversion, oppression, of degeneracy to tyranny. We have *fundamental fact* to proceed upon: the absence of Colonel Burr from the scene of action. His absence is acknowledged; and if it were not, it is proved by us. Hence emerges a question whether any facts, which *can* be proved, can convict him as a principal in the treason alleged to have been committed in his absence. If he were not present at Blannerhassett's Island, as stated in this indictment, how can he be convicted as a principal? After the admission that he was absent, how can they succeed? They cannot add one iota to what relates to this part of the business. It is a rule that cannot be controverted that when an indispensable position cannot be proved, the court may interpose with respect to the law, and state its necessity to the jury. This is not a case of equivocal testimony, when credibility and mere weight are to be considered, which it would be improper for the court to decide upon. We ask your opinion of facts, concerning which there is no doubt. Why should the trial proceed if it should be the opinion of the court that proof of his *absence* cannot support the charge of his being *present* as an actor? Surely not to add fuel to the general inflammation which has already spread far and wide, and that only for the mere purpose of gratifying any one man or set of men; for this court sits not for the amusement of the public fancy or the gratification of public malignity.

But, they say, may not the jury decide the law and the fact against the opinion of the court? But is it proper to produce a struggle between the court and the jury? Ought the jury to disregard the opinion of the court when it is confessedly correct? When the court tells the jury truly that the *substratum*<sup>o</sup> does not exist, a respectable jury never did and never will find a verdict of *guilty*.

They say that they are determined to probe this conspiracy, as it is called, to the bottom; and, therefore, they make these



extraordinary efforts ; but is there no respect that counsel ought to have for their character, to prevent them from pressing on the jury doctrines which they know to be illegal? Is there no respect due from the jury to the admonition of the court? If irrelevant testimony be to be admitted, twenty or twenty-five days or more may be spent in hearing what has no relation to the subject, and cannot affect us. It is in vain, therefore, to proceed. What ought we to expect from the court? Its authority. If the law is to be regarded, we have a right to call on the court for the exercise of its authority to prevent the introduction of illegal testimony.

If, indeed, as Mr. Hay<sup>o</sup> and Mr. Wirt said, the consequences of this interposition of the court would be the annihilation of the rights of the jury, I would answer, that any individual on earth ought to be sacrificed rather than that so great a danger should be realized. I wish not to touch so inestimable an institution. But there exists no such danger. Why do we wish to have juries? It is that men of our own condition, and who have a fellow-feeling for us, should determine controversies and try accusations against individuals among us, so that no standing jurisdiction or permanent tribunal is to be employed to dictate the fate of any individual. It is a wise and humane regulation, that a jury should thus interpose between the public and the individual. For it is very improbable that oppression will ever take place on that side. All is safe while decisions are on the side of tenderness. No precedent can be drawn from all this to sanction injustice or oppression.

It is objected that juries would thus be prostrated, and that the court might on the same principle decide against the accused. Who thus complains? Was it ever argued that the rights of the jury and the safety of the citizen were destroyed by a favorable opinion to the accused?

Let a Jeffreys<sup>o</sup> arise, and succeed you on that seat; let him arrogate to himself what powers he pleases; let him encroach

on privileges and tyrannize over the rights of juries, and all those who shall advocate them, yet what examples will he take? If he would permit precedent to be quoted before him, would he take the exercise of mercy for his example?

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Sir,<sup>o</sup> I am not surprised that the people have been taught that we mean to smother testimony. I have been told of it out of doors; and I have no doubt that such is the general opinion. This is the effect of the improper publicity given to whatever passes here. I have remonstrated against this malpractice, but in vain. We see that not a particle of intelligence is received, no step is taken, nothing happens here which is not in twelve hours made public. This intelligence will be diffused, augmented, and distorted. We make no attempts of this sort. These reports remain uncontradicted, and excite prejudices against us. I wish to know, then, how it can be shown that we have such an object in view. Where is the proof of smothering testimony? We deny the truth of the accusation. We wish not to suppress testimony; but it is our duty to oppose the admission of what is not lawful evidence, since so much prejudice has been excited against the accused.

Away, then, with this idea, that we wish to suppress testimony. We only claim what the law allows, and I am afraid that if he be deprived of this right there never will be again found in this country a tribunal able to fortify itself against popular clamor, or counsel sufficiently firm to support an unfortunate client against popular fury. I want no precedents, I want nothing but preëminence of virtue and talents to discern and decide. And while you are placed on the seat of justice, we fear not to meet that high tone of popularity, that popular rage which is so much, and we say, so unjustly, inflamed against us; if not met now, it never can be met.

We are told that every man is a politician, and even judges may be so hereafter. Then we shall be in danger. When

they become political partisans, we shall be in danger. This evinces the greater necessity of adhering inflexibly to principle.

I do not wish to go beyond seas, for examples ; but I cannot help reminding the court of the conduct of the illustrious Mansfield.<sup>o</sup> He stood on a critical occasion, as this court stood at the beginning of this trial. I am inclined to believe that the public prejudice has relented ; but suppose it to be still in its full fury, the situations are similar. When the popular frenzy was at its utmost height, he had to encounter it. He displayed that unshaken firmness which this court now feels. He was unmoved by popular clamor, unawed by popular fury. He wanted no popularity but that which he was sure would follow him, and survive when he was no more ; that which ever pursues meritorious conduct, the high meed of virtue, which is the best stimulus to the most honorable exertions.

If it were to be said that we want authority and precedent here for this firmness of conduct, we can say that our Washington is recorded in trials not wholly different. He was once in a situation where he might have been alarmed with what was called the popular voice. He was assailed by popular clamor and discontent ; but he was firm to his purpose. I can only say that he would have been without an historian if he had not withstood<sup>o</sup> them.

An argument has been already used, which, if well understood, cannot be resisted. I feel it to be firmly established ; but I hope the court will excuse me for indulging myself in further explaining the principle : not because I deem it necessary after what has been said, but because I want the jury, this audience, and all the world to be impressed with what are the rights of the accused. It is this : that when a fact essential to the guilt of the accused does not exist, all further proceedings against him should cease. . . .

Sir, permit me to use analogy. Will a cannon have a greater random because its object is at a greater distance ?

Will a telescope reach in proportion to the distance of the star to which it is directed? Will the power of man increase in proportion to the distance of the scene of action? Will the power of man multiply with addition of impossibilities? Can he do more than human nature is capable of? So, then, Mr. Burr had such genius and power that he was present at Blennerhassett's Island, though at a distance of one hundred and eighty miles from it! They seem to think him the soul of the world, and to have ubiquity. He must have been more than man to have accomplished what they charge him with. He must, as one of the witnesses (General Eaton) said, have ridden on the whirlwind and directed the storm; or descended on the sunbeams, as one of the counsel said. This converts the school of reason into the school of fancy. But this would have been the vain language of an inflated imagination, never compared with the power of man. It is the power of man that we speak of. It is not in the nature of man to do impossibilities. Is it common sense that the talents of a man, however great, should enable him to be multitudinous, because he is at a supposed distance? Suppose he had been at the head of the Mississippi, or in the neighborhood of the Pacific Ocean: would the scene of action have been so extended that he should be said to be on the spot, aiding and assisting at Blennerhassett's Island?

Where the rights of the citizen are so deeply involved, let us not abandon rational experience. Let not those rules which concern the rights of the citizen be mixed with doubtful doctrines. Let not the imagination be indulged. Let us tread in the same path in which our ancestors, with happiness to themselves, have trodden more than three hundred years, and we more than a hundred and fifty years; but do not let us wander into the fields of fancy. To venture on the extension of constructive crimes by analogy would be to make life and liberty mere foot-balls of imagination. Overwhelmed by such doctrines, the most innocent man amongst us might be destroyed.

Another circumstance has been offered to your consideration with a view of exciting the public indignation. Blennerhassett has been most piteously represented as a seduced person, and it is asked, "What, shall the seducer be acquitted, and the seduced be the victim?" And in order to make the representation more affecting, and to excite our sympathy to a higher degree, the gentleman has gravely introduced his lovely wife and prattling children, his hatred of war, his love of music, of literature and chemistry, till his seduction by the arts of Mr. Burr.

Sir, I believe that Blennerhassett is innocent. I know him to be innocent; and he may defy all the efforts to be made against him. But the situation in which he is placed does not reflect criminality on Colonel Burr. Do you examine into the character and conduct of the accessory in examining of the principal? as whether he were under the influence of the principal or not. Is not this an invitation to subvert all the rules of the law? Blennerhassett is not to be examined; but he is to be called small in guilt, because that of Mr. Burr is to be magnified. This is done, not out of any cordiality to him, but in hatred of Burr. The question now, when he is tried as a principal is, Is he guilty or not? Did he commit the fact? Whereas, according to law, when an accessory before the fact is examined or tried, the only question is, Did he abet or aid him who committed the act? and not whether he committed the act himself. This argument is not addressed to you, but to those who surround this great tribunal.

But the constitution, the law of England, and American decisions have been quoted to show that the prime mover is, at any distance, a principal. I will examine all these; but the Constitution is what I have most at heart, and what I will first consider.

Mr. Hay says that he would rather the constitution should perish than the rights of juries. I revere both. I revere the

constitution because, among other blessings, it secures the rights of juries ; and there is no man who hears me but is convinced that the rights incident to the trial by jury are secured by it.

The constitution is not express upon this subject ; and if it be not express, are you to narrow it ? Are you to conjecture so as to create a new crime, not only in name, but in substance, by introducing a new person which the constitution never contemplated by adding "procuring" as a crime to "doing" ?

But we are told that the constitution has adopted terms in treason which are well known. Be it so. But it is only to tell you what is the "*lesa majestas*" of the nation. It tells you that the legislature should never avail themselves of the malignant passions of the people so as to call that "*lesa majestas*,"<sup>o</sup> which is not so in fact.

The constitution only intended the classification of crimes which should be considered as tending directly to the subversion of the government. It was left to the legislature to say what particular acts should have this tendency, and to provide the punishment. The constitution supposed that there could be only two classes of cases in which the government could be subverted : levying war and adhering to the enemies of the country. It never could have been intended to import aid from the common law to expound the constitution. It is only a general description ; and the legislature are left to provide a proper remedy for the evil. The legislature, therefore, might have declared at any time what should be done with an accessory before the fact. They might punish this and other accessorial offences by a law coming within the sweeping clause which empowers Congress to make all laws which shall be necessary and proper to carry their enumerated powers into effect.

But the constitution is to be considered according to reason and moral right, and both ask if a transcendent offender be to slip down into an accessory. The answer is, that if reason which judges the fitness of things, moral right which gives more lati-

tude, or even common sense, be permitted to add persons according to different men's ideas of propriety, what advantage is derived from the principle which has been so long cherished, that penal laws shall be construed strictly? What becomes of the doctrine? What benefit can be had from the constitution, containing precise terms and an express enumeration of powers, if moral right, common sense, and reason, according to the diversity of human opinions, are to be applied to infer and imply its meaning? We may apply these to *Eutopia*,<sup>o</sup> *Oceana*,<sup>o</sup> or even the visions of Plato,<sup>o</sup> or rather the tribunal of Draco<sup>o</sup>; for wherever they, or what is the same thing, men's different conceptions of them, are to determine what shall be right construction, *there* will be a tribunal of blood. Language must indeed be understood as the world understands it; but the ideas must not be extended beyond the natural import. I will ask a man of the most common understanding, who is not connected with the cause of Colonel Burr, whether a man at a distance of three hundred miles from the scene of operation can be the same as the actual perpetrator. Whether a man could be charged as present at the spot and doing an act, when he was at three hundred miles' distance. What would be his answer? Would he not call it the grossest absurdity? Does not the very idea of law revolt against such a construction? The constitution does not impose it. The common law, the gentleman admits, does not impose it; but common sense requires it. So that common sense shall say *absence* is *presence*, and shall consider *one* man as *another*, and plunge a dagger into his breast against justice and reason! It is contrary to the common understanding of the world. It is impossible in the nature of things that a man at a distance of three hundred miles can be present. This transcends the wildest extravagance of fancy. By metaphysical legerdemain, they annihilate space and consolidate identities.

The apprehensions which were entertained and the dangers predicted but a short time past, from construction, seem to have

been soon forgotten. If you begin so early with creating offences by mere analogy, where will you stop? Trace the consequences of taking one man for another. Reflect how many shades and approaches there are to guilt. If you can confound these without distinction, and charge a man who commanded an act to be done by his agent, to have been present and to have done it himself, — if you charge a crime directly contrary to facts, you mislead and surprise; you are arriving at a point which will involve doctrines of treason which were never intended by the framers of the Constitution.

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Sir, is it not necessary to inquire what is the consequence of the conduct of Colonel Burr? If it be accessorial, the indictment must show the "*quomodo*."° Why is any indictment in any case necessary? Why must indictments distinguish between principal actors in treason and those who are but accessorial agents? Because it informs them of the nature of the accusation, and enables them to defend themselves. The indictment against the adviser or procurer ought to notify him of the act of which he is considered an indirect perpetrator. You must show the manner in which he is liable.

Nor does this doctrine rest on English authority alone. It is not merely founded on the common law, as has been urged. It is supported by the principles of pleading which we have adopted. The forms of pleading show the sense of courts, as guides to reason. The eighth amendment to the constitution also requires it. It not only secures the enjoyment "of a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed," but also that the accused "shall be informed of the nature and cause of the accusation, confronted with the witnesses against him," etc.

Consider this subject attentively. Reflect on the mode of



prosecution which is advocated, and see whether it do not deprive us of this constitutional privilege. The language of any man, addressed to the accused on this subject, would be, "You are charged with treason ; but you are to be informed of the nature and cause of the accusation, so as to enable you to prepare your defence." The indictment is shown him. It tells him that he actually levied war by raising men, and committing acts on a particular day and at a particular place. Knowing his innocence of the charge, he pleads *not guilty*, and produces testimony to prove that he was not there ; that during the whole time he was many hundred miles distant, or perhaps beyond sea. Against all this, when he comes to be tried, he is told, "It was not you that raised the army. We do not mean that you were there in person. You needed not to have summoned twenty or thirty witnesses to prove that you were not present. But you did what we insist is the same as levying war. You wrote a letter in which you advised the thing to be done." He would very naturally answer, "If that be your meaning, I have been misled and deceived ; I am not prepared for trial, and I pray that the cause may be continued." But he is told : "Your prayer cannot be granted. The jury are sworn, and you must take your trial."

Now, sir, should it be in the power of any government thus to mislead and destroy any man it may select for its victim ? (I do not mean to say that such is the disposition of this government ; nay, I am sure it is not.) But no child who could read the constitution could suppose that it could ever be so construed. Yet, sir, what babies we were, if we expected the constitution to be thus correctly construed ! If this construction be adopted, and this species of indictment admitted, it will pervert this very palladium of our safety into an instrument of destruction. Mr. Hay knows that I intend nothing offensive to him. But when he tells me that his indictment fits this case, he deceives us. He deludes us into a trial in ignorance

of the accusation, and drags us blindfold to the scaffold. This is the most intolerable hardship. Examine history from the beginning of the world to the end, you will find nothing like the character of an American legislature, who, professing to be the votaries of liberty, and to admire the principles of a free constitution, would permit such horrid oppression on their citizens: to keep them in the dark, to hold out the semblance of security to innocence, but to expose it to inevitable destruction! Sir, I could mention a thousand acts of oppression that would not be so severe as this. The party accused is entrapped and ensnared. He is taken by surprise, and forced into a trial with the rope round his neck, without any means of preparation or defence. This is substance; not a phantom of the imagination. The forms of trial, the instruments of nominal justice, are to be wrought up into an engine of destruction. We call on you as guardians of this constitution, as far as depends on your acts, to preserve it from violation. I ask you to remember the difficulty of repairing the mischiefs of an oppressive construction, and permitting, unopposed, encroachments on the dearest privileges of the people. If this attempt be successful, where will persecution stop? If this be correct, fate has sealed it in your mind, and the law has only to force it. I feel myself so much roused by the idea of the effect that this doctrine would have, that did I not know that it came from a pure source without any intention to injure or oppress, I would be alarmed. I would say, as Paul<sup>o</sup> said to Agrippa, Believest thou in the constitution? I know thou dost. I ask you to save this rock of our salvation. For myself I do not care. I have not much to care, with respect to the remainder of my life. But for my children I feel the affection and solicitude natural to a parent; and for my country, those sentiments of patriotism which become every good citizen. Let not the great palladium of public liberty be undermined. I pray you that the rights of the citizen may not be at the shrine of fac-

tion and persecution ; that innocence may not be ingulfed by the adoption of the doctrine of the prosecutors. American judges can never do this. I was going to use language too strong : American judges dare not do it.

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According to what has been often observed in the course of this trial, the crime consists of the beginning, its progress, and the consummation, in the course of which some force must be exhibited. A man might begin a crime and stop short and be far from committing the act. He might go on one step still further without incurring guilt. It is only the completion of the crime that the law punishes. Suppose an army were embodied by Mr. Burr, and they only assembled and separated, without having committed any act ; what would the government have to complain of ? When they punish a man for murdering another, it is because he is dead. When a man commits a robbery, it is because a person has been put in fear, and his property taken from him without his consent. So it is with respect to every other crime ; while it is in an incipient state it is disregarded. No person is punishable who is charged with such an inchoate, incomplete offence. The intention is never punished. In such cases time is allowed for repentance at any time before the consummation. Such an offence as this is never punishable, unless in the case of a conspiracy ; and even on a prosecution charging that offence specially the act of conspiring must be satisfactorily established. Here no injury has arisen to the commonwealth. No crime has been perpetrated. The answer to this is, that there were preparations to commit it. As far as communications have been made to the government, there is no possibility of proving a complete act, yet those accused must be punished. Then their rule of law is, that wherever there is a beginning of a crime, it shall be punished, lest it grow to maturity. Is this the spirit of American legis-

lation and American justice? Is it the spirit of its free constitution, to consider the germ as the consummation of the offence? the intention, so difficult to be ascertained, and so easy to be misrepresented and misunderstood, as the act itself? In such a system it may be a source of lamentation that no more than death can be inflicted on the completion of the crime. *Death, death*, is to be the universal punishment, the watchword of humane legislation and jurisprudence !

When we mentioned the idea of force, I was not a little amazed at the manner in which they attempted to repel the argument. It was said that they were prepared to show *potential* force ; that fear was used ; that an assemblage was *drawn* together to act on the fears of the people. This fear begins at New Orleans, mounts the Mississippi, against the stream, and fixes itself at Blennerhassett's Island. Henry IV. fell a sacrifice to the predictions of the Jesuits. They determined to destroy him, and predicted that he would fall ; and he did fall. I may safely admit that fear really existed at New Orleans, because the man who was interested to excite it had it in his power most effectually to do so. A great conspiracy with vast numbers and means is feigned. A particular day is announced as the time of attack. The militia are brought together. They "surround the city ; spread the alarm in the coffee-houses, and other public places ; guard the river, for they are coming in the next flood of the Mississippi." Thus terror and apprehension were excited by every stratagem imaginable. Are we to be sacrificed by base and insidious arts like these? by the artifices of a man<sup>o</sup> interested in our destruction to effect his own preservation?

I have done, sir. I find myself hurt that I could not give a greater scope to my feelings on this all-important subject. I will only add one remark, which I hope will be excused, and considered as applying in all who occupy the sacred seat of justice. Judges have passed through the temple of virtue, and

arrived at that of honor ; but we find that it is a just decree from the free will of the people that the floor of that temple is slippery. Some may suppose that because the wheel of fortune is not seen immediately to move, it is at rest. The rapidity deceives the sight. He who means to stand firm in that temple must place his hand on the statue of wisdom, the pedestal of which is a lion. These are the only qualities by which they can be useful in their honorable station. Popular effusion and the violence and clamor of party they will disregard. It is the more necessary, as judges may hereafter mingle in politics ; and they are but men ; and the people are divided into parties. In the conflicts of political animosity, justice is sometimes forgotten, or sacrificed to mistaken zeal and prejudice. We look up to the judiciary to guard us. One thing I am certain of, that *you* will not look at consequences ; that you will determine, "*fiat justitia*," ° let the result be what it may.

# JOHN C. CALHOUN

1782-1850

CALHOUN was the son of a poor South Carolina family — a lad irregularly educated, whose determined hard work procured his entrance to Yale, where he was graduated with honors in 1804. He returned to his native state, where he practiced law with little success until 1811, when he was elected to Congress. From this time his name was constantly associated with the fiery debates in the legislative body.

Calhoun lacked the wonderful grace of Webster; but his intensity and sincerity compelled the attention and often won the support of his hearers. He was direct and logical, and owed his power rather to the matter than the manner of his utterance, always.

He was a thorough Southerner, warm-blooded and enthusiastic; but he was also a practised logician, hence he was feared and respected by his opponents, and admired by his adherents. It is for the logical development of his thought that his speeches are most worthy of study.

## SPEECH ON THE INTERNAL IMPROVEMENT BILL

FEBRUARY 4, 1817

It seems to be the fate of some measures to be praised, but not adopted. Such, I fear, will be the fate of this on which we are now deliberating. From the indisposition manifested by

the House to go into committee on the bill, there is not much prospect of its success ; yet it seems to me when I reflect how favorable is the present moment, and how confessedly important a good system of roads and canals is in our country, I may be reasonably very sanguine of success. At peace with all the world, abounding in pecuniary means, and, what is of the most importance, and at which I rejoice, as most favorable to the country, party and sectional feelings merged in a liberal and enlightened regard to the general concerns of the country : such are the favorable circumstances under which we are now deliberating. Thus situated, to what can we direct our resources and attention more important than internal improvement? What can add more to the wealth, the strength, and the political prosperity of our country? The manner in which facility and cheapness of intercourse contribute to the wealth of a nation has been so often and so ably discussed by writers on political economy that I presume the House to be perfectly acquainted with the subject. It is sufficient to observe, that every branch of national industry — agricultural, manufacturing, and commercial — is greatly stimulated by it, and rendered more productive. The result is, that it tends to diffuse universal opulence. It gives to the interior the advantages possessed by the parts most eligibly situated for trade. It makes the country<sup>o</sup> price, whether in the sale of the raw product or in the purchase of articles of consumption, approximate to that of the commercial towns. In fact, if we look into the nature of wealth, we will find that nothing can be more favorable to its growth than good roads and canals. An article, to command a price, must not only be useful, but must be the subject of demand ; and the better the means of commercial intercourse, the larger is the sphere of demand. The truth of these positions is obvious and has been tested by all countries where the experiment has been made. It has particularly been strikingly exemplified in England ; and if the result there,

in a country so limited, and so similar in its products, has been to produce a most uncommon state of opulence, what may we not expect from the same cause in our country, abounding, as it does, in the greatest variety of products, and presenting the greatest facility for improvement? Let it not be said that internal improvements may be wholly left to the enterprise of the States and of individuals. I know that much may justly be expected to be done by them; but, in a country so new and so extensive as ours, there is room enough for all the *general* and *state* governments, and individuals, in which to exert their resources. But many of the improvements contemplated are on too great a scale for the resources of the States or individuals; and many of such a nature as the rival jealousy of the States, if left alone, would prevent. They require the resources and the general superintendence of this government to effect and complete them.

But there are higher and more powerful considerations why Congress ought to take charge of this subject. If we were to consider only the pecuniary advantages of a good system of roads and canals, it might, indeed, admit of some doubt, whether they ought not to be left wholly to individual exertions; but when we come to consider how intimately the strength and political prosperity of the republic are connected with this subject, we find the most urgent reasons why we should apply our resources to them. In many respects no country of equal population and wealth possess equal materials of power with ours. The people, in muscular power, in hardy and enterprising habits, and in lofty and gallant courage, are surpassed by none. In one respect, and, in my opinion, in one only, are we materially weak. We occupy a surface prodigiously great in proportion to our numbers. The common strength is brought to bear with great difficulty on the point that may be menaced by an enemy. It is our duty, then, as far as in the nature of things it can be effected, to counteract this



weakness. Good roads and canals, judiciously laid out, are the proper remedy. In the recent<sup>o</sup> war how much did we suffer for the want of them! Besides the tardiness and the consequent inefficacy of our military movements, to what an increased expense was the country put for the article of transportation alone! In the event of another war, the saving, in this particular, would go far toward indemnifying us for the expense of constructing the means of transportation.

It is not, however, in this respect only, that roads and canals add to the strength of the country. Our power of raising revenue, in war particularly, depends mainly on them. In peace, our revenue depends principally on imports; in war, this source, in a great measure, fails; and internal taxes, to a great amount, become necessary. Unless the means of commercial intercourse are rendered much more perfect than they now are, we shall never be able, in war, to raise the necessary supplies. If taxes were collected in kind, — if, for instance, the farmer and mechanic paid in their surplus produce, — then the difficulty would not exist, as in no country on earth is there so great a surplus, in proportion to its population, as in ours. But such a system of taxes is impossible. They must be paid in money; and, by the constitution, must be laid uniformly.<sup>o</sup> What, then, is the effect? The taxes are raised in every part of this extensive country uniformly; but the expenditure must, in its nature, be principally confined to the scene of military operations. This drains the circulating medium from one part, and accumulates it in another, and perhaps a very distant one. The result is obvious. Unless it can return through the operation of trade, the part from which the constant drain takes place must ultimately be impoverished. Commercial intercourse is the true remedy for this weakness; and the means by which this is to be effected are roads, canals, and the coasting trade. On these, combined with domestic manufactures, does the moneyed capacity of this country, in war, depend. Without them, not only

will we be unable to raise the necessary supplies, but the currency of the country must necessarily fall into the greatest disorder, such as we lately experienced.

But, on this subject of national power, what can be more important than a perfect unity in every part, in feelings and in sentiments? And what can tend more powerfully to produce it than overcoming the effects of distance? No state, enjoying freedom, ever occupied anything like as great an extent of country as this republic. One hundred years ago, the most profound philosophers did not believe it to be even possible. They did not suppose it possible that a pure republic could exist on as great a scale even as the island of Great Britain. What *then* was considered chimerical, we *now* have the felicity to enjoy; and what is more remarkable, such is the happy mould of our Government, so wisely are the state and general powers arranged, that much of our political happiness derives its origin from the extent of our republic. It has exempted us from most of the causes which distracted the small republics of antiquity. Let it not, however, be forgotten; let it be forever kept in mind that it exposes us to the greatest of all calamities—next to the loss of liberty, and even to that in its consequence—disunion. We are great and rapidly, and, I was about to say, fearfully, growing. This is our pride and our danger; our weakness and our strength. Little does he deserve to be intrusted with the liberties of this people, who does not raise his mind to these truths. We are under the most imperious obligation to counteract every tendency to disunion. The strongest of all cements is, undoubtedly, the wisdom, justice, and, above all, the moderation of this House; yet the great subject on which we are now deliberating, in this respect, deserves the most serious consideration. Whatever impedes the intercourse of the extremes with this, the centre of the republic, weakens the union. The more enlarged the sphere of commercial circulation, the more extended that of social intercourse, the more strongly are we bound to-

gether, the more inseparable are our destinies. Those who understand the human heart, best know how powerfully distance tends to break the sympathies of our nature. Nothing — not even dissimilarity of language — tends more to estrange man from man. Let us, then, bind the republic together with a perfect system of roads and canals. Let us conquer space. It is thus the most distant parts of the republic will be brought within a few days' travel of the centre ; it is thus that a citizen of the West<sup>o</sup> will read the news of Boston still moist from the press. The mail and the press are the nerves of the body politic. By them, the slightest impression made in the most remote parts is communicated to the whole system ; and the more perfect the means of transportation, the more rapid and true the vibration. To aid us in this great work, to maintain the integrity of this republic, we inhabit a country presenting the most admirable advantages. Belted around, as it is, by lakes and oceans, intersected in every direction by bays and rivers, the hand of industry and art is tempted to improvement. So situated, blessed with a form of government at once combining liberty and strength, we may reasonably raise our eyes to a most splendid future if we only act in a manner worthy of our advantages. If, however, neglecting them, we permit a low, sordid, selfish, and sectional spirit to take possession of this House, this happy scene will vanish. We will divide, and in its consequence will follow misery and despotism.

To legislate for our country requires not only the most enlarged views, but a species of self-devotion not exacted in any other. In a country so extensive and so various in its interests, what is necessary for the common good may apparently be opposed to the interest of particular sections. It must be submitted to as a condition of our greatness. But were we a small republic, were we confined to ten miles square, the selfish instincts of our nature might, in most cases, be relied on in the management of public affairs.

Such, then, being the obvious advantages of internal improvements, why should the House hesitate to commence the system? I understand there are, with some members, constitutional objections. The power of Congress is objected to: first, that there is none to cut a road or canal through a State without its consent; and next, that the public moneys can only be appropriated to affect the particular powers enumerated in the constitution. The first of these objections, it is plain, does not apply to this bill. No particular road or canal is proposed to be cut through any State. The bill simply appropriates money to the general purpose of improving the means of intercommunication. When a bill is introduced to apply the money to a particular object in any State, then, and not till then, will the question be fairly before us. I express no opinion on this point. In fact, I scarcely think it worth the discussion, since the good sense of the States may be relied on. They will in all cases readily yield their assent. The fear is in a different direction—in too great a solicitude to obtain an undue share to be expended within their respective limits. In fact, as I understand it, this is not the objection insisted on. It is mainly urged that the Congress can only apply the public money in execution of the enumerated powers. I am no advocate for refined arguments on the constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed in plain good sense; and what can be more express than the constitution on this very point? The first power delegated to Congress is comprised in these words, “To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.”<sup>o</sup> First the power is given to lay taxes; next the objects are enumerated to which the money accruing from the exercise of this power may be applied, viz.,

to pay the debts, provide for the defence, and promote the general welfare ; and last, the rule for laying the taxes is prescribed ; to wit, that all duties, imposts, and excises shall be uniform. If the framers had intended to limit the use of the money to the powers afterwards enumerated and defined, nothing could have been more easy than to have expressed it plainly. I know it is the opinion of some that the words, "to pay the debts and provide for the common defence and general welfare," which I have just cited, were not intended to be referred to the power of laying taxes contained in the first part of the section ; but that they are to be understood as distinct and independent powers, granted in general terms ; and are qualified by a more detailed enumeration of powers in the subsequent<sup>o</sup> part of the constitution. If such were, in fact, the meaning intended, surely nothing can be conceived more bungling and awkward than the manner in which the framers have communicated their intention. If it were their intention to make a summary of the powers of Congress in general terms, which were afterwards to be particularly defined and enumerated, they should have told us so, plainly and distinctly ; and if the words "to pay the debts and provide for the common defence and general welfare" were intended for this summary, they should have headed the list of our powers, and it should have been stated that, to effect these general objects, the following specific powers were granted. I ask members to read the section with attention, and it will, I conceive, plainly appear that such could *not* have been the intention. The whole section seemed to me to be about taxes. It plainly commences and ends with it, and nothing could be more strained than to suppose the intermediate words, "to pay the debts, and provide for the common defence and general welfare," were to be taken as independent and distinct powers. Forced, however, as such a construction was, I might admit it, and urge that the words do constitute a part of the enumerated powers. The constitu-

tion gives the Congress the power to establish post-offices and post-roads. I know the interpretation usually given to these words confines our powers to that of designating only the post-roads ; but it seems to me that the word "establish" comprehends something more. But suppose the constitution to be silent, why should we be confined in the application of moneys to the enumerated powers ? There is nothing in the reason of the thing, that I can perceive, why it should be so restricted ; and the habitual and uniform practise of the Government coincides with my opinion. Our laws are full of instances of money appropriated without any reference to the enumerated powers. We granted, by an unanimous vote (or nearly so), \$50,000 to the distressed inhabitants of Caraccas, and a very large sum, at two different times, to the San Domingo refugees. If we were restricted in the use of our money to the enumerated powers, on what principle can the purchase of Louisiana be justified ? To pass over many other instances, the identical power, which is now the subject of discussion, has, in several instances, been exercised. To look no farther back, at the last session a considerable sum was granted to complete the Cumberland Road. In reply to this uniform course of legislature, I expect it will be said that our constitution is founded on positive and written principles, and not on precedents. I do not deny the position ; but I have introduced these instances to prove the uniform sense of Congress and the country (for they have not been objected to) as to our powers, and surely they furnish better evidence of the true interpretation of the constitution than the most refined and subtle arguments.

Let it not be argued that the construction for which I contend gives a dangerous extent to the powers of Congress. In this point of view I conceive it to be more safe than the opposite. By giving a reasonable extent to the money power, it exempts us from the necessity of giving a strained and forced construction to the other enumerated powers. For instance, if

the public money could be applied to the purchase of Louisiana, as I contend it may be, then there was no constitutional difficulty in that purchase; but if it could not, then we are compelled to deny either that we had the power to purchase, or to strain some of the enumerated powers to prove our right. It has, for instance, been said that we had the right to purchase under the power to admit new states — a construction, I venture to say, far more forced than the one for which I contend. Such are my views as to our power to pass this bill.

I believe that the passage of the bill would not be much endangered by a doubt of the power; for I conceive, on that point, there are not many who were opposed. The *mode*° is principally objected to. A system, it is contended, ought to be presented before the money is appropriated. I think differently. To set apart the fund appears to me to be, naturally, the first act; at least, I take it to be the only practicable course. A bill filled with details would have but a faint prospect of passing. The enemies, to any possible system in detail, and those who are opposed in principle, would unite and defeat it. Though I am unwilling to incorporate details in the bill, yet I am not averse to presenting my views on that point. My first great object is to perfect the communication from Maine to Louisiana. This may be fairly considered as the principal artery of the whole system. The next is the connection of the Lakes with the Hudson River.° In a political, commercial, and military point of view, few objects can be more important. The next object of chief importance is to connect all the great commercial points on the Atlantic — Philadelphia,° Baltimore, Washington, Richmond, Charleston, and Savannah — with the Western States, and finally to perfect the intercourse between the West and New Orleans. These seem to me to be the great objects. There are others, no doubt, of great importance, which would receive the aid of Government. The fund proposed to be set apart in this bill is about \$650,000 a year,

which is, doubtless, too small to effect such great objects of itself; but it will be a good beginning, and I have no doubt, when it is once begun, the great work will be completed. If the bill succeed, at the next session the details may be arranged, and the system commenced. I cannot regard those who object merely to the mode as being very heartily in favor of the system. Every member must know that in all great measures it is necessary to concede something, as it is impossible to make all think alike on the minutiae of the measure, who are agreed on the principle. A deep conviction of the importance of the thing itself is almost sure to be accompanied with a liberal spirit of concession. The committee who introduced this bill gave it the shape, in their opinion the most proper in itself, and the most likely to succeed. If it cannot pass in its present form, and under the present circumstances, it is certainly very doubtful whether it ever will. I feel a deep solicitude in relation to it. I am anxious that this Congress shall have the reputation of it; and I am the more so on account of the feelings which have been created against it. No body of men, in my opinion, ever better merited, than this Congress, the confidence of the country. For wisdom, firmness, and industry it has never been excelled. To its acts I appeal for the truth of my assertion. The country already begins to experience the benefits of its foresight and firmness. The diseased state of the currency, which many thought incurable, and most thought could not be healed in so short a time, begins to exhibit symptoms of speedy health. Uninfluenced by any other considerations than love of country and duty, let us add this to the many useful measures already adopted. The money cannot be appropriated to a more exalted use. Every portion of the community—the farmer, the mechanic, and the merchant—will feel its good effects; and what is of the greatest importance, the strength of the community will be augmented and its political prosperity rendered more secure.



## HENRY CLAY

1777-1852

HENRY CLAY was a Virginian by birth; and combined with rare intelligence, a spirit capable of extreme exertion; so that, despite the vicissitudes incident to poverty and domestic misfortunes, we find that in 1797 he was licensed to practise law in Virginia. He began his duties at Lexington, Kentucky, where, thanks to good fortune and his indomitable energy, he was most signally successful.

In public affairs the bland and courteous gentleman was never lost, although Mr. Clay was, in all the storms of the troublous times in which he lived, a man of strong convictions and emphatic speech.

He was, moreover, one of those men who, throughout a long public career, never descended from his devotion to the cause of his country. Whether his views were always the soundest or not, is not ours at this time to consider. This we know: that his life and actions, held up to the light in public view, exhibit no sordidness of motive, no selfishness of aim. This, then, was the man whose silvery tones and logical thought, upheld by the unfailing patriotism that characterized him always, swayed the councils of the nation for the benefit of his own and future generations of Americans, — powerfully — unselfishly.

The speeches here quoted are but types, and have been selected because they exhibit the quiet dignity and the genuine Americanism of the man who shares with Calhoun and Webster

the veneration in which Americans hold this trinity of lights on the pathway of our nation.

## ON AMERICAN INDUSTRY °

1824

Mr. Chairman, our confederacy has within its vast limits a great diversity of interests ; agricultural, planting, farming, commercial, navigating, fishing, manufacturing. No one of these interests is felt in the same degree, and cherished with the same solicitude throughout all parts of the union. Some of them are peculiar to particular sections of our common country. But all these great interests are confided to the protection of one government—to the fate of one ship ; and a most gallant ship it is, with a noble crew. If we prosper and are happy, protection must be extended to all ; it is due to all. It is the great principle on which obedience is demanded from all. If our essential interests cannot find protection from our government against the policy of foreign powers, where are they to get it ? We did not unite for sacrifice, but for preservation. The inquiry should be in reference to the great interests of every section of the union (I speak not of minute subdivisions) what would be done for those interests if that section stood alone and separated from the residue of the republic ? If the promotion of those interests would not injuriously affect any other section, then everything should be done for them which would be done if it ° formed a district government. If they come into absolute collision with the interests of another section, a reconciliation, if possible, should be attempted by mutual concession, so as to avoid a sacrifice of the prosperity of either to that of the other. In such a case, all should not be done for one which would be done, if it were separated and independent—but something ; and in devising the meas-

ure the good of each part, and of the whole, should be carefully consulted. This is the only mode by which we can preserve, in full vigor, the harmony of the whole union. The south entertains one opinion, and imagines that a modification of the existing policy of the country for the protection of American industry, involves the ruin of the south. The north, the east, the west, hold the opposite opinion, and feel and contemplate in a longer adherence to the foreign policy, as it now exists, their utter destruction. Is it true that the interests of these great sections of our country are irreconcilable with each other? Are we reduced to the sad and afflicting dilemma of determining which shall fall a victim to the prosperity of the other? Happily, I think, there is no such distressing alternative. If the north, the west, and the east, formed an independent state, unassociated with the south, can there be a doubt that the restrictive system would be carried to the point of prohibition of every foreign fabric of which they produce the raw material, and which they could manufacture? Such would be their policy if they stood alone; but they are fortunately connected with the south, which believes its interests to require a free admission of foreign manufactures. Here, then, is a case for mutual concession, for fair compromise. The bill under consideration presents this compromise. It is a medium between the absolute exclusion and the unrestricted admission of the produce of foreign industry. It sacrifices the interest of neither section to that of the other; neither, it is true, gets all that it wants, nor is subject to all that it fears. But it has been said that the south obtains nothing in this compromise. Does it lose anything? is the first question. I have endeavoured to prove that it does not, by showing that a mere transfer is effected in the source of the supply of its consumption from Europe to America; and that the loss, whatever it may be, of the sale of its great staple in Europe, is compensated by the new market created in America. But does the

south really gain nothing in this compromise? The consumption of the other sections, though somewhat restricted, is still left open by this bill to foreign fabrics purchased by southern staples. So far its operation is beneficial to the south, and prejudicial to the industry of the other sections, and that is the point of mutual concession. The south will also gain by the extended consumption of its great staple, produced by an increased capacity to consume it in consequence of the establishment of the home market. But the south cannot exert its industry and enterprise in the business of manufactures! Why not? The difficulties<sup>o</sup> if not exaggerated are artificial, and may, therefore, be surmounted. But can the other sections embark in the planting occupations of the south? The obstructions which forbid them are natural, created by the immutable laws of God, and therefore unconquerable.

Other and animating considerations invite us to adopt the policy of this system. Its importance in connection with the general defence in time of war, cannot fail to be duly estimated. Need I recall to our painful recollection the sufferings, for the want of an adequate supply of absolute necessities, to which the defenders of their country's rights and our entire population were subjected, during the late war? Or to remind the committee of the great advantage of a steady and unfailing source of supply, unaffected alike in war and in peace? Its importance, in reference to the stability of our union, that paramount and greatest of all our interests, cannot fail warmly to recommend it, or at least to conciliate the forbearance of every patriot bosom. Now our people present the spectacle of a vast assemblage of jealous rivals, all eagerly rushing to the sea-board, jostling each other in their way, to hurry off to glutted foreign markets the perishable produce of their labor. The tendency of that policy, in conformity to which this bill is prepared, is to transform these competitors into friends and mutual customers, and by the reciprocal exchanges of their respective productions, to place the

confederacy upon the most solid of all foundations, the basis of common interest. And is not government called upon, by every stimulating motive, to adapt its policy to the actual condition and extended growth of our great republic? At the commencement of our constitution, almost the whole population of the United States was confined between the Alleghany Mountains and the Atlantic Ocean. Since that epoch, the western part of New York, of Pennsylvania, of Virginia, all the western states and territories, have been principally peopled. Prior to that period we had scarcely any interior. An interior has sprung up, as it were by enchantment, and along with it new interests and new relations, requiring the parental protection of government. Our policy should be modified accordingly, so as to comprehend all, and sacrifice none. And are we not encouraged by the success of past experience, in respect to the only article which has been adequately protected? Already have the predictions of the friends of the American system, in even a shorter time than their most sanguine hopes could have anticipated, been completely realized in regard to that article; and consumption is now better and more cheaply supplied with coarse cottons, than it was under the prevalence of the foreign system.

Even if the benefits of the policy were limited to certain sections of our country, would it not be satisfactory to behold American industry, wherever situated, active, animated, and thrifty, rather than persevere in a course which renders us subservient to foreign industry? But these benefits are twofold, direct and collateral; and in the one shape or the other, they will diffuse themselves throughout the union. All parts of the union will participate, more or less, in both. As to the direct benefits, it is probable that the north and east will enjoy the largest share. But the west and the south will also participate in them. Philadelphia, Baltimore, and Richmond,<sup>o</sup> will divide with the northern capitals the business of manufacturing. The latter city unites more advantages for its successful prosecution,

than any other place I know ; Zanesville,<sup>o</sup> in Ohio, only excepted, And where the direct benefit does not accrue, that will be enjoyed of supplying the raw material and provisions for the consumption of artisans. Is it not most desirable to put at rest, and prevent the annual recurrence of this unpleasant subject, so well fitted, by the various interests to which it appeals, to excite irritation and so produce discontent? Can that be effected by its rejection? Behold the mass of petitions which lie on our table, earnestly and anxiously entreating the protecting interposition of congress against the ruinous policy which we are pursuing. Will these petitioners, comprehending all orders of society, entire states and communities, public companies and private individuals spontaneously assembling, cease in their humble prayers, by your lending a deaf ear? Can you expect that these petitioners and others, in countless numbers, that will, if you delay the passage of this bill, supplicate your mercy, should contemplate their substance gradually withdrawn to foreign countries, their ruin slow, but certain, and as inevitable as death itself, without one expiring effort? You think the measure injurious to you ; we believe our preservation depends upon its adoption. Our convictions, mutually honest, are equally strong. What is to be done? I invoke that saving spirit of mutual concession under which our blessed constitution was formed, and under which alone it can be happily administered. I appeal to the south—to the high-minded, generous, and patriotic south<sup>o</sup> with which I have so often coöperated, in attempting to sustain the honor and to vindicate the rights of our country. Should it not offer, upon the altar of the public good, some sacrifice of its peculiar opinions? Of what does it complain? A possible temporary enhancement in the objects of consumption. Of what do we complain? A total incapacity, produced by the foreign policy, to purchase, at any price, foreign objects of consumption. In such an alternative, inconvenient only to it, ruinous to us, can we expect too much from

southern magnanimity? The just and confident expectation of the passage of this bill has flooded the country with recent importations of foreign fabrics. If it should not pass, they will complete the work of destruction of our domestic industry. If it should pass, they will prevent any considerable rise in the price of any foreign commodities until our own industry shall be able to supply competent substitutes.

To the friends of the tariff I would also anxiously appeal. Every arrangement of its provisions does not suit each of you; you desire some further alterations; you would make it perfect. You want what you will never get. Nothing human is perfect. And I have seen with great surprise, a piece signed by a member of congress, published in the *National Intelligencer*, stating that this bill must be rejected, and a judicious tariff brought in as its substitute. A judicious tariff! No member of congress could have signed that piece; or, if he did, the public ought not to be deceived. If this bill do not pass, unquestionably no other can pass at this session, or probably during this congress. And who will go home and say that he rejected all the benefits of this bill, because molasses has been subjected to the enormous additional duty of five cents per gallon? I call, therefore, upon the friends of the American policy to yield somewhat of their own peculiar wishes, and not to reject the practicable in the idle pursuit after the unattainable. Let us imitate the illustrious example of the framers of the constitution, and, always remembering that whatever springs from man partakes of his imperfections, depend upon experience to suggest, in future, the necessary amendments.

We have had great difficulties to encounter. First, the splendid talents that are arrayed in this house against us. Second, we are opposed by the rich and powerful in the land. Third, the executive government, if any, affords us but a cold and equivocal support. Fourth, the importing and navigating interest, I verily believe, from misconception are averse to us.

Fifth, the British factors and the British influence are inimical to our success. Sixth, long-established habits and prejudices oppose us. Seventh, the reviewers and literary speculators, foreign and domestic. And lastly, the leading presses of the country, including the influence of that which is established in this city, and sustained by the public purse.

From some of these, or other causes, the bill may be postponed, thwarted, defeated. But the cause is the cause of the country, and it must and will prevail. It is founded in the interests and affections of the people. It is as native as the granite deeply imbosomed in our mountains. And, in conclusion, I would pray God, in his infinite mercy, to avert from our country the evils which are impending over it, and, by enlightening our councils, to conduct us into that path which leads to riches, to greatness, and to glory.

## ADDRESS TO LA FAYETTE °

DECEMBER 10, 1824

*General*, — The House of Representatives of the United States, impelled alike by its own feelings and by those of the whole American people, could not have assigned to me a more gratifying duty than that of presenting to you cordial congratulations upon the occasion of your recent arrival in the United States, in compliance with the wishes of Congress, and to assure you of the very high satisfaction which your presence affords on this early theatre of your glory and renown. Although but few of the members who compose this body, shared with you in the war of our revolution, all have, from impartial history, or from faithful tradition, a knowledge of the perils, the sufferings, and the sacrifices, which you voluntarily encountered, and the signal services, in America and in Europe, which you performed for an



infant, a distant, and an alien people ; and all feel and own the very great extent of the obligations under which you have placed our country. But the relations in which you have ever stood to the United States, interesting and important as they have been, do not constitute the only motive of the respect and admiration which the house of representatives entertain for you. Your consistency of character, your uniform devotion to regulated liberty, in all the vicissitudes of a long and arduous life, also command its admiration. During all the recent convulsions of Europe, amidst, as after the dispersion of every political storm the people of the United States have beheld you, true to your old principles, firm and erect, cheering and animating, with your well-known voice, the votaries of liberty, its faithful and fearless champion, ready to shed the last drop of that blood which here you so freely and nobly spilt, in the same holy cause.

The vain wish has been sometimes indulged that Providence would allow the patriot, after death, to return to his country, and to contemplate the intermediate changes which had taken place ; to view the forests felled, the cities built, the mountains levelled, the canals cut, the highways constructed, the progress of the arts, the advancement of learning, and the increase of population. General, your present visit to the United States is a realization of the consoling object of that wish. You are in the midst of posterity. Everywhere you must have been struck with the great changes, physical and moral, which have occurred since you left us. Even this<sup>o</sup> very city, bearing a venerated name, alike endeared to you and to us, has since emerged from the forest which then covered its site. In one respect you behold us unaltered, and this is in the sentiment of continued devotion to liberty, and of ardent affection and profound gratitude to your departed friend, the father of his country, and to you and to your illustrious associates in the field and in the cabinet, for the multiplied blessings which surround

us, and for the very privilege of addressing you, which I now exercise. This sentiment, now fondly cherished by more than ten millions of people, will be transmitted, with unabated vigor, down the tide of time, through the countless millions who are destined to inhabit this continent, to the latest posterity.

# NOTES

JAMES OTIS

## ON WRITS OF ASSISTANCE

P. 2, l. 14. **books**; *i.e.* law-books, for decisions of courts on similar questions.

l. 15. **Writs of Assistance.** These were, at first, granted to officials, who were authorized to search for smuggled goods; the grant degenerated, however, as is shown in Otis's evidence, into lawless infringement of personal rights.

P. 3, l. 6. **Advocate-General.** The legal adviser of the Crown in military or naval matters.

l. 16, 17. **cost . . . crown.** Charles I. and James II.

P. 4, l. 8. **14 Charles II.** An act in the 14th year of the reign of Charles II. This and the later reference refer to an act of 1662; for, in the statute books of England the reign of Charles II. is considered to have begun when he was proclaimed king of Scotland in 1649; not when he was accepted in England in 1660. The Act reads in part, "officers of His Majesty's customs and their *deputies* are hereby authorized . . . to go aboard . . . vessels," etc. It is the word *deputies*, as construed by the officers in America, over which much trouble arose. — **Mr. Gridley**, Otis's legal preceptor, argued against him, and was outdone by his pupil.

P. 5, l. 1. [**until . . . soul.**] Not found in all editions of the speech.

l. 6. **curse of Canaan.** Genesis ix. 25, 26, 27.

l. 5-7. [**What . . . creation?**] Not found in all editions.

l. 10. **A man's house . . . castle.** These words have become an American proverb.

l. 32. **same manner.** Students are advised to consider the value of this specific example, as conclusive evidence.

l. 34. **14 Charles II.** See note on p. 4, l. 8, above.

P. 6, l. 12. **constitution.** The English constitution is an *unwritten* code, in conformity to whose principles decisions are rendered by the courts, and in violation of which no acts of kings or parliaments can ever be lastingly enforced.

l. 16. **star-chamber.** A court dating from the reign of Edward III. (1327-1377), taking its name from the "Chamber of Stars" at Westminster, where its meetings were held. After the accession of William and Mary (1688) it was abolished; but the name has remained as a synonym for high-handed, unjust decisions — "star-chamber proceedings."

l. 19. **Lord Talbot**, referring to the Earl of Shrewsbury, one of the peers of the reign of William and Mary, — a gentleman of profound learning, and one close to the persons of their Majesties.

l. 26. **7 and 8 William III.** Act of years seven and eight in the reign of William III. ; *i.e.* William of Orange, who reigned jointly with his wife Mary (1689-1702).

l. 32. **6 Anne.** Act of the sixth year of Queen Anne's reign (1702-1714). The Act reads, in part, "nothing shall be contained in any charter, commission, or grant, . . . to exclude or restrain any of Her Majesty's subjects from having a full and free trade to and in any part of America."

### ON THE STAMP ACT

P. 7, title. **Stamp Act.** The terms of this act may be found in any history of the American colonies.

l. 1. **Excellency**, the governor, Hutchinson.

l. 2. **Honors**, the city council; these, with the governor, constituted the judicial staff.

1. 3. **minister**, referring to Grenville, in whose ministry the Stamp Act was passed.

1. 9. **nine provinces**. In reality there were more, — New Hampshire, Massachusetts, New York, New Jersey, Rhode Island, Connecticut, Pennsylvania, Maryland, Virginia, North and South Carolina.

1. 20. **liberties**, privileges, both as legislators and as Englishmen.

P. 8, l. 3. **birthright**. English law has, from the earliest times, recognized a freeman's right to a trial.

1. 11. **this day**. Compare with modern conditions.

1. 14. **kings . . . judges**. The king was, in spirit, at least, supposed to preside in all his courts. From the earliest days he was chief in war and judge in peace, — as in biblical records (Judges). The king's was a decision from which there was no appeal ; for "the king can do no wrong."

1. 24. "**laws . . . apply**." Quoted from C. Molloy's *De Jure maritimo et navali*, a treatise on maritime and commercial affairs, published in London in 1690.

P. 9, l. 1. **ipse facto**, by the fact itself ; in itself.

1. 8. **Jew-bill**. Legislation against the Jews was frequently enforced, but was finally done away with, in England. See Graetz's *History of the Jews*.

1. 16. **Great Seal**, by order of the Crown ; sealed with the Great Seal ; the stamp of sovereignty.

1. 20. **letters**, grants ; commissions.

1. 22. **disherison**, obsolete except in this sense.

## JOHN ADAMS

### ON BEHALF OF THE PEOPLE OF BOSTON

P. 11, title. The Memorial as given by Josiah Quincy, Jr., reads in part: "We have always understood that the law is the great

rule of right, the security of our lives and property, and the best birthright of Englishmen. Under these apprehensions, we make our humble application to your Excellency . . . that we may no longer be deprived of this invaluable blessing." This petition was drawn up December 18, 1765.

l. 7. **Englishmen**, colonists with the rights of native Englishmen.

ll. 11, 12. **Parliaments . . . submitted to**, reference to Charles I. and the parliaments of his time.

l. 14. **void**. This occurred in the thirty-first year of the reign of Henry VIII. (1540), and is an act providing that the King's proclamations shall be kept as though they were an enactment of parliament. It was repealed later.

l. 21. **Roman . . . all**." The Roman law was the basis for all later legal systems.

P. 12, l. 7. **ex debito Justitiæ**, as a matter of right; *i.e.* the basis of right.

## JOSIAH QUINCY, JR.

P. 13, l. 5. **youth**. He was twenty-three years old when the first article here quoted appeared in the *Gazette*, and but twenty-six when he was counsel for the soldiers.

l. 12. **fee**. His whole fee in the case was too small to be, even in those times, a consideration.

P. 14, title. **Hyperion**, the name under which Quincy wrote at this time. This letter appeared in the *Boston Gazette* of September 28, 1767.

l. 17. **golph**, gulf (obsolete).

l. 21. **pass**, used in fencing.

l. 26. **kingdoms**. The student is asked to consider the correctness of this assertion.

P. 15, l. 1. **same cause**. Note the distinction between *similar* and *same* as here drawn.

- l. 4. **gender**, to breed. Almost obsolete.
- l. 7. **æconomy**, economy. — **quick destroyed**, an almost mediæval misuse of adj. for adv.
- l. 14. **syren**, old spelling, siren ; referring to the singing sorceresses of ancient legend.
- l. 21. **public virtue**. Cf. Macaulay's *Horatius*, "Then none was for a party, and all were for the state."
- l. 26. **wrath**. Cf. the Old Testament prophecies.
- P. 16, l. 16. **royal**, a king's gift. Note the double sense.
- l. 18. **our . . . blessed**. Proverbs xxxi. 28.
- l. 22. **spark . . . extinct**, the love of liberty.
- l. 24. **Let no man**. Shakespeare, *Richard II*, III, Sc. ii., ll. 144-155. This quotation is not exactly given — it was evidently altered to fit the orator's needs.
- l. 28. **chuse**, obsolete form of choose.
- l. 33. **model**, mould ; pattern.

## IN DEFENCE OF THE BRITISH SOLDIERS

P. 17, l. 6. **most . . . saw**. Not only the numbers accused, but the pretext their sentence, if unjust, would offer for further persecution from England.

P. 18, l. 5. **relent**, to be averse to ; seldom used as a verb in this sense.

- l. 7. **have**, given *has* in the old editions.
- l. 15. **affections**, emotions.
- l. 30. **we all lament**, personally and politically.
- P. 19, l. 2. **fifth of March**, Boston massacre (1770).
- l. 5. **alternately**, really successively, as there were more than two.
- l. 10. **concernments**, matters (an old form).
- l. 12. **It . . . current**. As a political epigram, this is unusually fine.
- ll. 18, 19. Note the break in the sequence of tenses. He returns to the past in line 21.

l. 30. **county**, of Suffolk, Mass.

P. 20, l. 12. **rigid . . . law**. The law takes cognizance of no surmises ; it admits only facts.

l. 15. **Hitherto**, to this point (no longer used thus).

P. 21, l. 18. **crisis**. Cf. with the views held just prior to the French Revolution.

P. 22, l. 4. **ferment**. They do not really ferment ; though they may effervesce. Fermentation is a vegetable process.

l. 12. **The right . . . tribunal**, in Congress.

l. 15. **them**, soldiers.

l. 21. **pomp of funeral**. The victims were buried with great ostentation.

l. 32. **late trial**. This was the second part of the trial, held over from term to term.

P. 23, l. 5. **However . . . proof**. It would be well for students to remember this, in preparing debates.

l. 9. **high water slack**. The interval at high tide before the tide turns to go out.

## JOSEPH WARREN

### CONSTITUTIONAL LIBERTY AND ARBITRARY POWER

P. 25, title. **March 5, 1772**. These memorial orations were of annual occurrence until 1785, when it was deemed wise to discontinue them.

P. 26, l. 6. **Constitution**. This term is used frequently, at this period, in its broadest sense, as signifying the underlying principles of law, common to all reasoning and reasonable beings, when living in communities.

l. 23. **empress of the world**. Cf. Byron's designations of Rome in *Childe Harold's Pilgrimage*.

l. 29. **Constitution**, *con-stituo*, *e.g.* that which makes men stand together.



P. 27, l. 2. **quit . . . clime.** Puritans, Catholics, and Quakers, are the most notable of these.

l. 4. **Indian . . . proprietors.** The truth of this statement has been too often forgotten in dealing with the red man.

l. 9. **house of Stuart.** The tyrannies were under Charles I., Charles II., and James II.

l. 13. **charter.** The charter here mentioned was the new charter granted to Massachusetts in 1690-1691.

l. 31. Cf. with our own Constitution on this point, as to powers of Chief Executive, Senate, and House of Representatives.

P. 28, l. 9. **acts of . . . America.** This seems intended to go no farther back than the Writs of Assistance (1760-1761).

l. 22. **peers of America.** The fine sarcasm of the young democracy seems to break forth here.

l. 25. **power . . . acknowledge.** Note that, at this time, there was no bitterness toward the king—only toward the ministry.

l. 29. **proclamation . . . America.** This was conclusively illegal. See note 4, Adams, "On Behalf of the People of Boston."

P. 29, l. 27. **for . . . trifle.** It is the establishing of a precedent that he fears.

P. 30, l. 7. **standing army . . . law.** William and Mary (1688) declared a standing army in time of peace to be against the law.

l. 18. This is again referred to by Hancock; and may be found in other orations and in letters, though no direct evidence is given.

l. 26. Cf. Shakespeare, *As You Like It*, Act II. Sc. vii. ll. 150-152.

"The soldier . . .

Jealous in honor, sudden and quick in quarrel."

P. 31, l. 12. **Lucretia.** See history of Sextus Tarquin, 510 B.C.

l. 15. **battalia.** Regular array of battle—in battalions.

l. 30. **removal.** These troops were removed, owing to the pressure brought to bear upon the governor through a committee of citizens.

P. 32, l. 2. **murder.** See the notes on Josiah Quincy, Jr., "In Defence of the British Soldiers."

l. 23. **derived to**, usually used with *from*. In this sense it means *accumulating*; *accruing*.

P. 33, l. 21. **plantation**, American plantations; the extent was unknown to the people of England.

P. 34, l. 13. **danger**. The truth of this assertion may be tested by scanning the history of the emigrants from 1607 to 1700, as it appears in colonial history of our country.

l. 17. **bequeathed**. Cf. Webster's oration on Adams and Jefferson, "Generations past and generations to come hold us responsible for this sacred trust," *i.e.* liberty.

## JOHN HANCOCK

P. 37, l. 7. **desk**, the pulpit of the Old South Church in Boston, where these memorial meetings were held.

P. 38, l. 1. **government**, meaning here British government.

l. 9. **their**, referring to Great Britain's ministry.

l. 17. **her**, applying to the nation; here the pronouns are a trifle ambiguous.

l. 28. **glorious**. The adjectives applied to George II. and his house show the attitude toward the sovereign.

l. 31. **villain**, reference to Lord Bute, whose scheme this Stamp Act was.

P. 39, l. 7. **senate-house**. The troops were quartered in Faneuil Hall.

l. 12. **debauchery**. The sober Puritans were averse to all forms of riotous revelry.

l. 21. **blasphemies**. Blasphemy was a crime punishable by law. See Otis's example in his speech on "Writs of Assistance."

P. 40, l. 9. **dismal night**, March 5, 1770.

l. 24. **Hillsborough**. Lord H., secretary for the colonies under George III. until August, 1772. He was most tyrannical and deservedly unpopular in America.

l. 26. **Preston**, captain of the soldiers on the night of the riot.

l. 29. **assassins**. Though acquitted, they were so considered by the people.

P. 41, l. 19. **Robertson**, a Scotch divine (1721-1793), who was the famous historian of his time.

l. 34. **worm**. Isaiah lxvi. 24.

P. 42, l. 1. **Maverick . . . Carr**, victims of March 5, 1770.

l. 4. **manes**, spirits, a purely Latin word which is not considered legitimate English.

l. 7. **Monk** was the boy who was permanently crippled on March 5, 1770.

l. 24. As a result of this appeal, a considerable collection was made for Monk's relief.

P. 43, l. 27. **a George or a Louis**. No greater antithesis could occur to the mind of an English subject than this; for the hatred of the English and French to each other was constant.

P. 44, l. 9. **was**, were, as a conditional tense.

l. 20. **band**. Note the suggestion of the specific names of military divisions in various nations.

P. 45, l. 2. **pro aris et focis**, for their altars and their firesides, *i.e.* for religious liberty and their homes.

l. 21. **tutelar deity**, special protector, *i.e.* the Goddess of Liberty.

P. 46, l. 10. **Great expectations . . . adversaries**. Why would this have proven detrimental to American interests?

l. 31. **committees of correspondence**. These kept one another informed of state matters, and thus an interstate (intercolonial) relation was maintained.

P. 47, l. 5. **continent**. From Massachusetts to Georgia.

l. 25. **Remember . . . mothers**. Cf. Shakespeare, *Henry V.*, Act III. Sc. i. ll. 22-23 (also ll. 17-22).

"Dishonor not your mothers; now attest  
That those whom you called fathers did beget you."

l. 29. **Philistines**, the tribes to whom Israel was successively in servitude. Judges ii. 1, 4 ; iii. 1, 2, 3.

P. 49, l. 10. **Although . . . salvation.** Habakkuk iii. 17-18.

## PATRICK HENRY

### ON RESOLUTION OF MARCH 23, 1775, IN THE VIRGINIA CONVENTION

P. 51, l. 16. **as, as being.**

l. 21. **siren . . . beasts.** This is not accurate ; it was Circe, not the sirens, who changed men to beasts.

l. 24. **eyes, see not . . . hear not.** Jeremiah v. 21 ; Ezekiel xii. 2.

l. 26. **temporal**, as contrasted with spiritual.

P. 52, l. 6. **gentlemen.** Note the absence of the article *the*.

l. 10. **kiss**, reference to the betrayal of Jesus by Judas. See Matthew xxvi. 48 and 49.

l. 17. **gentlemen.** See note on p. 52, l. 6, above.

P. 53, l. 2. **throne.** This is probably a reference to Franklin's representation of the colonists in England early in this year.

l. 19. **the next week.** Note the use of the article, which, in such cases, is now obsolete.

l. 34. **election, choice.** Cf. Shakespeare, *Merchant of Venice*, Act III. Sc. ii. l. 24.

P. 54, l. 3. **clanking . . . Boston**, referring to the presence of General Gage and his troops in that city.

l. 7. **next . . . sweeps . . . field.** This is prophecy, for the battle of Lexington did not come until nearly a month later.

## RICHARD HENRY LEE

P. 55, l. 14. **Congress**, the Continental Congress of 1775, which met at Philadelphia.

l. 18. **second**, referring to the previous petition.

P. 56, l. 17. **right . . . infringed**, *i.e.* when the courts were closed.

l. 20. **precarious**, because of the insecurity arising from taxation without representation, and the closing of courts of justice.

l. 29. **annulled**. See histories of the various chartered colonies in America.

l. 32. **impoverished**, special reference to Massachusetts.

l. 33. **impunity**, reference to the acquittal of some of the men engaged in the Boston massacre.

P. 57, l. 21. This paragraph refers to the sufferings along the Massachusetts coast.

P. 58, l. 8. England's relations with France and Spain at this era were none of the most friendly.

l. 28. This is not an exaggerated statement.

l. 30. **are**. Fleet is used here, not as a collective noun, but as meaning a rather heterogeneous collection of vessels; nevertheless, *is* would be more accurate.

P. 59, l. 27. **free**. In the light of our present development, this seems far-sighted indeed.

l. 30. **fight**. The Englishman had never fought for a foreign nation, as a mercenary. The need for hiring the Hessians seems to answer this query.

P. 60, l. 9. **contemned**. Cf. with condemned, with which it is often confused.

P. 61, l. 12. **General Gage**, military governor of Massachusetts at this time.

l. 16. **cruel . . . frontiers**, reference to the English league with the Indians—a most treacherously executed villany.

l. 29. **extended**. Cf. note on p. 59, l. 27, above.

l. 33. **fountain**, source.

P. 62, l. 5. **before 1763**. This evinces the moderation of spirit characteristically conservative, but unbending in adherence to principle.

l. 26. Cf. previous speeches: Otis, "Writs of Assistance," note, p. 6, l. 12; and John Adams, note, p. 11, l. 21.

P. 63, l. 18. References to the corrupt policy of such men as Bute and Grenville.

l. 33. The reciprocal arrangement seems too fair to have been overlooked by a reasonable people.

P. 65, l. 1. As a concise summary, this paragraph becomes unusually emphatic.

## SAMUEL ADAMS

P. 67, l. 21. **Popery**, used as a term of opprobrium.

P. 68, l. 6. **protestantism**. Consider the exact meaning of the term.

l. 23. **their**. This ambiguous pronoun relates to the doctrine of English statesmen.

l. 28. **burthen**, spelling obsolete.

P. 69, l. 9. **Charles II**.

l. 16. **only**. Could this word be better placed?

P. 70, l. 19. **constitution**, English constitution, which was violated, and therefore dead.

l. 34. Cf. preceding figure; is this exaggerated, or does the history of the colonies from 1765-1776 justify his statements?

P. 71, l. 4. **nation of shopkeepers**. Napoleon adopted this phrase, it is said, from the published report of this speech.

l. 17. **Carthage**, United States of Colombia, S.A.; Spanish colony.

l. 19. **last war**, French and Indian war.

P. 73, l. 11. **foot**, ground, for this reason.

P. 74, l. 23. **commanders**. Washington had already demonstrated his own ability; as had his associates.

l. 29. **infidels**, unbelievers.

P. 75, l. 18. **accommodation**, settlement, agreement.

P. 76, l. 31. **industry**. Cf. preceding. Cf. the subjugation of India.

P. 77, l. 13. **decisions of Englishmen.** Read statements of such men as Pitt and Burke.

P. 78, l. 30. **speculation.** True democracy was considered an Utopian dream.

P. 79, l. 32. **constitution.** the articles under which the colonial government was carried on.

P. 80, l. 31. **our.** of England.

P. 82, l. 3. **want nothing.** This is *absolutely*, not figuratively, true.

l. 20. **shall continue to profit.** This was prophetic, in the light of the war of 1812-1814.

l. 30. Consider this as prophecy.

P. 84, l. 4. **men.** These men were, chiefly, the royal governors.

l. 20. **auxiliaries,** Indians and hired soldiers.

## ALEXANDER HAMILTON

P. 85, title. June 20, 1788, in New York, when the debate on the several parts of the Constitution was resumed.

P. 86, l. 14. **desiderata**, pl., things to be desired.

P. 89, l. 7. **federal**, for the Union.

P. 91, l. 26. **old Constitution**, articles of Confederation.

P. 92, l. 34. See methods of electing United States Senators and President.

## GEORGE WASHINGTON

P. 99, l. 19. **providential agency**, *i.e.* even the elements seemed to favor the Americans.

P. 100, l. 8. **characters.** Hamilton and Madison were chief among these.

l. 32. **finally staked.** This is, no doubt, exact. Had it failed here, representative government, in republican form, would undoubtedly have perished.

P. 101, l. 2. **Fifth Article of the Constitution**, dealing with amendments.

l. 31. **limited**. Cf. with the actions of other men in similar positions.

## HENRY LEE

P. 103, l. 20. **your will**, that of Congress, whom he was addressing.

P. 107, l. 1. **conqueror of India**, Lord Cornwallis.

l. 9. **sword . . . ploughshare**. Isaiah ii. 4.

l. 27. **superiority**. Cf. with his estimate of himself as given in First Inaugural, and account for both.

P. 109, l. 19. **O fortunatos . . . norint**. O how fortunate are they who know so well their own good.

P. 110, l. 22. **Justum . . . etc**.

A man who is just and tenacious of purpose,  
The madness of the mob, urging evil deeds,  
Nor the frowning look of an imperious master,  
Shakes from his firm intent. — HORACE, *Ode III*.

P. 111, l. 21. **following his plough**. This was almost literal, for Washington farmed his lands at Mt. Vernon.

l. 29. **First in war**. This was the original place of these famous words.

## FISHER AMES

P. 115, l. 1. **public dangers**. See history of 1799–1800 (Adams's administration).

P. 116, l. 30. **inquisitive**, inquiring.

P. 118, l. 24. **revolution**. Cf. French Revolution.

P. 119, l. 4. **Enceladus**. The giant subdued by Jove, and buried under Etna to keep him from rising. Read Longfellow's poem on this subject.

P. 125, l. 4. **immortal youth**. See Byron in *Don Juan on the Isles of Greece*.



P. 127, l. 5. **poor rich**, socialist views of to-day.

P. 129, l. 3. **Jacobinism**, the doctrine of one of the French Revolutionary parties, taking its name from the convent of the Dominicans or Jacobins, where the meetings were held.

P. 130, l. 9. **withholden**, obsolete for withheld.

P. 131, l. 32. **Leonidas**. The comparison with Leonidas seems strained; find more apt historic allusions to replace it.

P. 133, l. 16. **Epaminondas**, history of Thebes, fifth century B.C.

### THOMAS JEFFERSON

P. 135, title. 1801. This was the first inaugural delivered at Washington.

P. 136, l. 16. **vessel**. Cf. Longfellow's lines in the *Building of the Ship*, "Thou, too, sail on, O ship of state," etc.

l. 22. **enounced**, verb unusual in common usage; its noun form, *enunciation*, is far more common.

P. 138, l. 2. **exterminating havoc**, reference to the continental *melée* caused by the French from 1770 to 1800.

l. 20. **take . . . earned**. Does this seem a premonition of the possible dangers of monopoly?

P. 139, l. 18. **habeas corpus**, the order issued by a court commanding the presence of a person deprived of his liberty, in order that trial may be held according to law.

### GOUVERNEUR MORRIS

P. 142, l. 9. **Columbia**. Hamilton was a Columbia graduate.

l. 11. **unprotected volunteer**. He was practically unknown until he fought in the Revolution, and even then did not become a popular idol. This came in the days of the Conventions of 1787-1788 and in Washington's administration.

l. 21. **York**, presumably Yorktown.

P. 143, l. 33. **Hamilton**. This was Hamilton's masterwork.

P. 145, l. 1. the **Cincinnati**, a Colonial society formed in 1783 by officers in the Continental army.

l. 19. all he has left. Hamilton died a poor man.

l. 31. respect yourselves. Duelling was, even then, unlawful in the spirit, if not in the letter, of American law.

## EDMUND RANDOLPH

P. 147, l. 15. **carte blanche**. Literally, a blank card ; a clear field.

l. 22. dark as **Erebus**. Cf. Shakespeare's *Julius Cæsar*, Act II. Sc. i.

P. 148, l. 30. **substratum**, underlying foundation.

P. 149, l. 12. **Mr. Hay** and **Mr. Wirt**, joint counsel for the state.

l. 33. **Jeffreys**, chief justice under James II.

P. 150, l. 5. **Sir**. Chief Justice John Marshall.

P. 151, l. 5. **Mansfield**, chief justice of England (1756-1793), reign of George II.

l. 23. **withstood them**, reference, no doubt, to the public clamor for aid to France.

P. 154, l. 13. **læsa majestas**, injury to majesty ; high treason.

P. 155, l. 9. **Eutopia**, Utopia, the seat of Sir Thomas Moore's ideal republic, in his political romance published (in Latin) in 1516, and subsequently translated. The name is Greek in origin ; its literal meaning is "no where." Here wrongly spelled.—**Oceana**, the ideal republic in James Harrington's *The Commonwealth of Oceana*, published in 1656.

l. 10. **visions of Plato**, his ideals of democracy (429-347 B.C.).—**Draco**, the Athenian law-giver who preceded Solon (7th century B.C.).

P. 156, l. 13. **quomodo**, in what manner.

P. 158, l. 26. **Paul said to Agrippa**, Believest thou the Prophets ?

- P. 160, l. 28. **man**, reference to Wilkinson.  
 P. 161, l. 16. **fiat justitia**, let justice prevail.

## JOHN C. CALHOUN

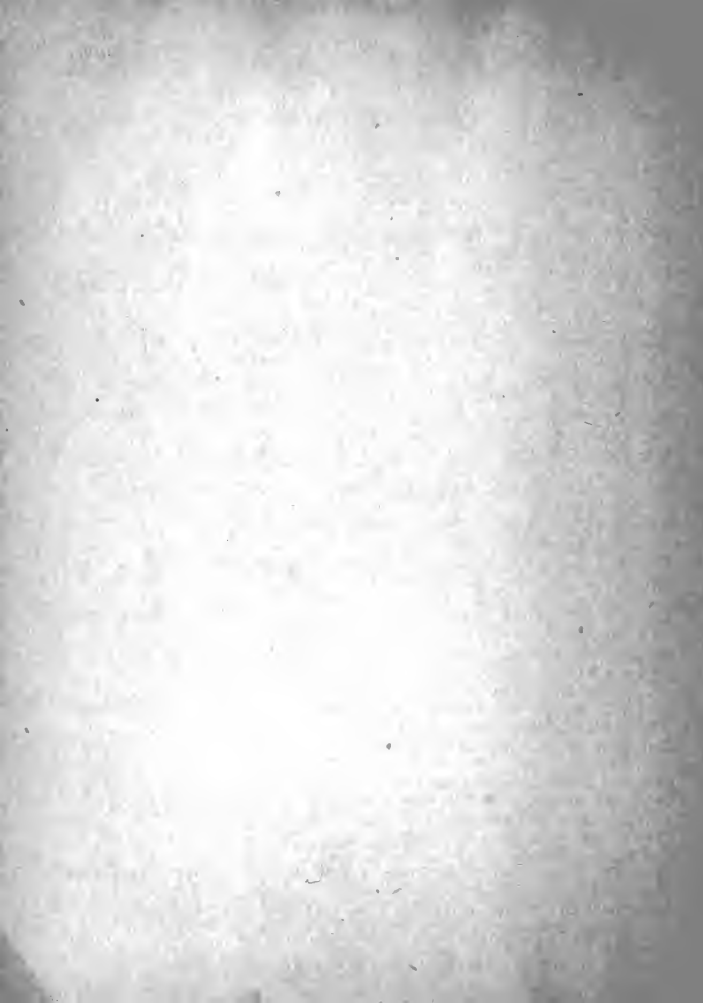
- P. 163, l. 24. **country**, inland, or agricultural region, as distinguished from *city*.  
 P. 165, l. 2. **recent war**, the war of 1812-1814.  
 l. 22. **by . . . uniformly**. Article I., Section 8, Part I.  
 P. 167, l. 8. **West**. How far did Calhoun's "West" extend?  
 P. 168, l. 28. **To lay . . . States**. Article I., Section 8, Part I.  
 P. 169, l. 13. **subsequent . . . constitution**. This is not done.  
 P. 171, l. 12. **mode**. The wording of the bill.  
 l. 25. **connection . . . River**. Cf. Governor Clinton's views on same subject (during his term as governor of New York).  
 l. 28. **Philadelphia**. Note that New York was not then, as now, considered first; in fact, is not mentioned at all.

## HENRY CLAY

- P. 174, title. **On American Industry**. This is portion of the debate on the Tariff Bill of 1824.  
 l. 23. **it**, the section under consideration.  
 P. 176, l. 11. **difficulties . . . artificial**. Most prominent was the southern aversion to *trade*.  
 P. 177, l. 32. **Richmond . . .** As manufacturing centres, have these cities justified Mr. Clay's statement? If not, why?  
 P. 178, l. 1. **Zanesville**. Refer to note just preceding.  
 l. 26. **south**. Mr. Clay was considered a Westerner, coming from Kentucky.

## ADDRESS TO LAFAYETTE

- P. 180, title. Lafayette was the *nation's* guest.  
 P. 181, l. 27. **this very city**. Washington, which had not been thought of when Lafayette left this country.



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